

Calendar No. 449

105TH CONGRESS
2^D SESSION

S. 2260

[Report No. 105–235]

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 2, 1998

Mr. GREGG, from the Committee on Appropriations, reported under authority of the order of the Senate of June 26, 1998 the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Commerce, Justice, and State, the Judici-

ary, and related agencies programs for the fiscal year ending September 30, 1999, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$76,199,000, of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided*, That not to exceed 43 permanent positions and 44 full-time equivalent workyears and \$7,860,000 shall be expended for the Department Leadership Program: *Provided further*, That not to exceed 39 permanent positions and 39 full-time equivalent workyears and \$4,660,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: *Provided further*, That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis: *Provided further*, That the Attorney General is authorized to transfer, under such terms and conditions as the Attorney General shall specify, real or personal property of limited or marginal value, as such value is determined by guidelines established by

1 the Attorney General, to a State or local government agen-
 2 cy, or its designated contractor or transferee, for use to
 3 support drug abuse treatment, drug and crime prevention
 4 and education, housing, job skills, and other community-
 5 based public health and safety programs: *Provided further*,
 6 That any transfer under the preceding proviso shall not
 7 create or confer any private right of action in any person
 8 against the United States, and shall be treated as a re-
 9 programming under section 605 of this Act.

10 JOINT AUTOMATED BOOKING SYSTEM

11 For expenses necessary for the nationwide deploy-
 12 ment of a Joint Automated Booking System, \$10,000,000,
 13 to remain available until expended.

14 COUNTERTERRORISM FUND

15 For necessary expenses, as determined by the Attor-
 16 ney General, \$19,999,000, to remain available until ex-
 17 pended, to reimburse any Department of Justice organiza-
 18 tion for (1) the costs incurred in reestablishing the oper-
 19 ational capability of an office or facility which has been
 20 damaged or destroyed as a result of any domestic or inter-
 21 national terrorist incident, (2) the costs of providing sup-
 22 port to counter, investigate or prosecute domestic or inter-
 23 national terrorism, including payment of rewards in con-
 24 nection with these activities, (3) the costs of conducting
 25 a terrorism threat assessment of Federal agencies and
 26 their facilities, (4) the costs associated with ensuring the

1 continuance of essential Government functions during a
2 time of emergency, and (5) the costs of activities related
3 to the protection of the Nation's critical infrastructure:
4 *Provided*, That any Federal agency may be reimbursed for
5 costs associated with implementation of the recommenda-
6 tions of the President's Commission on Critical Infrastruc-
7 ture Protection: *Provided further*, That any agency receiv-
8 ing services from the Department of Justice from the
9 Fund may reimburse the Fund and that any such reim-
10 bursement shall remain available in the Fund until ex-
11 pended: *Provided further*, That funds provided under this
12 paragraph shall be available only after the Attorney Gen-
13 eral notifies the Committees on Appropriations of the
14 House of Representatives and the Senate in accordance
15 with section 605 of this Act.

16 In addition, for necessary expenses, as determined by
17 the Attorney General, \$174,000,000, to remain available
18 until expended, for transfer to the Office of Justice Pro-
19 grams (OJP), for counterterrorism grants, contracts, co-
20 operative agreements, and other assistance (including
21 amounts for management and administration which shall
22 be transferred to and merged with the "Justice Assist-
23 ance" account), to cities, States, territories, and local ju-
24 risdictions; of which \$95,000,000 shall be available for
25 equipping first responders in cities, States, territories, and

1 local jurisdictions; of which \$5,000,000 shall be available
 2 to reimburse the Department of Health and Human Serv-
 3 ices for costs associated with Metropolitan Medical Strike
 4 Teams; of which \$10,000,000 shall be available for tech-
 5 nical assistance and evaluation; of which \$7,000,000 shall
 6 be available for law enforcement first responder training;
 7 of which \$22,000,000 shall be available for public safety
 8 first responder training provided through the National
 9 Consortium for First Responders; of which \$25,000,000
 10 shall be available for firefighter and emergency medical
 11 services equipment; and of which \$10,000,000 shall be
 12 available for situational training exercises.

13 ADMINISTRATIVE REVIEW AND APPEALS

14 For expenses necessary for the administration of par-
 15 don and clemency petitions and immigration related activi-
 16 ties, \$41,858,000.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector
 19 General in carrying out the provisions of the Inspector
 20 General Act of 1978, as amended, \$33,211,000; including
 21 not to exceed \$10,000 to meet unforeseen emergencies of
 22 a confidential character, to be expended under the direc-
 23 tion of, and to be accounted for solely under the certificate
 24 of, the Attorney General; and for the acquisition, lease,
 25 maintenance, and operation of motor vehicles, without re-
 26 gard to the general purchase price limitation for the cur-

1 rent fiscal year: *Provided*, That up to one-tenth of one per-
 2 cent of the Department of Justice's allocation from the
 3 Violent Crime Reduction Trust Fund grant programs may
 4 be transferred at the discretion of the Attorney General
 5 to this account for the audit or other review of such grant
 6 programs, as authorized by section 130005 of the Violent
 7 Crime Control and Law Enforcement Act of 1994 (Public
 8 Law 103-322).

9 UNITED STATES PAROLE COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses of the United States Parole
 12 Commission as authorized by law, \$7,969,000.

13 LEGAL ACTIVITIES

14 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

15 For expenses necessary for the legal activities of the
 16 Department of Justice, not otherwise provided for, includ-
 17 ing not to exceed \$20,000 for expenses of collecting evi-
 18 dence, to be expended under the direction of, and to be
 19 accounted for solely under the certificate of, the Attorney
 20 General; and rent of private or Government-owned space
 21 in the District of Columbia; and for annual obligations of
 22 membership in law-based international organizations pur-
 23 suant to treaties ratified pursuant to the advice and con-
 24 sent of the Senate, conventions, or specific Acts of Con-
 25 gress, notwithstanding any other provision of law;

1 \$485,511,000; of which not to exceed \$10,000,000 for liti-
 2 gation support contracts shall remain available until ex-
 3 pended: *Provided*, That of the funds available in this ap-
 4 propriation, not to exceed \$17,834,000 shall remain avail-
 5 able until expended for office automation systems for the
 6 legal divisions covered by this appropriation, and for the
 7 United States Attorneys, the Antitrust Division, and of-
 8 fices funded through “Salaries and Expenses”, General
 9 Administration: *Provided further*, That of the total amount
 10 appropriated, not to exceed \$1,000 shall be available to
 11 the United States National Central Bureau, INTERPOL,
 12 for official reception and representation expenses.

13 In addition, for reimbursement of expenses of the De-
 14 partment of Justice associated with processing cases
 15 under the National Childhood Vaccine Injury Act of 1986,
 16 as amended, not to exceed \$4,028,000, to be appropriated
 17 from the Vaccine Injury Compensation Trust Fund.

18 SALARIES AND EXPENSES, ANTITRUST DIVISION

19 For expenses necessary for the enforcement of anti-
 20 trust and kindred laws, \$86,588,000: *Provided*, That not-
 21 withstanding any other provision of law, not to exceed
 22 \$86,588,000 of offsetting collections derived from fees col-
 23 lected for premerger notification filings under the Hart-
 24 Scott-Rodino Antitrust Improvements Act of 1976 (15
 25 U.S.C. 18(a)) shall be retained and used for necessary ex-
 26 penses in this appropriation, and shall remain available

1 until expended: *Provided further*, That the sum herein ap-
 2 propriated from the General Fund shall be reduced as
 3 such offsetting collections are received during fiscal year
 4 1999, so as to result in a final fiscal year 1999 appropria-
 5 tion from the General Fund estimated at not more than
 6 \$0: *Provided further*, That the third proviso under the
 7 heading “Salaries and Expenses, Antitrust Division” in
 8 Public Law 105–119 is repealed.

9 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

10 For necessary expenses of the Offices of the United
 11 States Attorneys, including intergovernmental and cooper-
 12 ative agreements, \$1,083,642,000; of which not to exceed
 13 \$2,500,000 shall be available until September 30, 2000,
 14 for (1) training personnel in debt collection, (2) locating
 15 debtors and their property, (3) paying the net costs of sell-
 16 ing property, and (4) tracking debts owed to the United
 17 States Government: *Provided*, That of the total amount
 18 appropriated, not to exceed \$8,000 shall be available for
 19 official reception and representation expenses: *Provided*
 20 *further*, That not to exceed \$10,000,000 of those funds
 21 available for automated litigation support contracts shall
 22 remain available until expended: *Provided further*, That
 23 not to exceed \$1,200,000 for the design, development, and
 24 implementation of an information systems strategy for
 25 D.C. Superior Court shall remain available until expended:
 26 *Provided further*, That not to exceed \$2,500,000 for the

1 operation of the National Advocacy Center shall remain
 2 available until expended: *Provided further*, That not to ex-
 3 ceed \$1,000,000 shall remain available until expended for
 4 the expansion of existing Violent Crime Task Forces in
 5 United States Attorneys Offices into demonstration
 6 projects, including inter-governmental, inter-local, cooper-
 7 ative, and task-force agreements, however denominated,
 8 and contracts with State and local prosecutorial and law
 9 enforcement agencies engaged in the investigation and
 10 prosecution of violent crimes: *Provided further*, That, in
 11 addition to reimbursable full-time equivalent workyears
 12 available to the Office of the United States Attorneys, not
 13 to exceed 8,960 positions and 9,125 full-time equivalent
 14 workyears shall be supported from the funds appropriated
 15 in this Act for the United States Attorneys.

16 UNITED STATES TRUSTEE SYSTEM FUND

17 For necessary expenses of the United States Trustee
 18 Program, as authorized by 28 U.S.C. 589a(a),
 19 \$108,248,000, to remain available until expended and to
 20 be derived from the United States Trustee System Fund:
 21 *Provided*, That, notwithstanding any other provision of
 22 law, deposits to the Fund shall be available in such
 23 amounts as may be necessary to pay refunds due deposi-
 24 tors: *Provided further*, That, notwithstanding any other
 25 provision of law, \$100,000,000 of offsetting collections de-
 26 rived from fees collected pursuant to 28 U.S.C. 589a(b)

1 shall be retained and used for necessary expenses in this
 2 appropriation and remain available until expended: *Pro-*
 3 *vided further*, That the sum herein appropriated from the
 4 Fund shall be reduced as such offsetting collections are
 5 received during fiscal year 1999, so as to result in a final
 6 fiscal year 1999 appropriation from the Fund not to ex-
 7 ceed \$8,248,000: *Provided further*, That the fourth proviso
 8 under the heading “United States Trustee Fund” in Pub-
 9 lic Law 105–119 is repealed.

10 SALARIES AND EXPENSES, FOREIGN CLAIMS

11 SETTLEMENT COMMISSION

12 For expenses necessary to carry out the activities of
 13 the Foreign Claims Settlement Commission, including
 14 services as authorized by 5 U.S.C. 3109, \$1,227,000.

15 SALARIES AND EXPENSES, UNITED STATES MARSHALS

16 SERVICE

17 For necessary expenses of the United States Mar-
 18 shals Service; including the acquisition, lease, mainte-
 19 nance, and operation of vehicles, and the purchase of pas-
 20 senger motor vehicles for police-type use, without regard
 21 to the general purchase price limitation for the current
 22 fiscal year, \$501,752,000, as authorized by 28 U.S.C.
 23 561(i); of which not to exceed \$6,000 shall be available
 24 for official reception and representation expenses; and of
 25 which not to exceed \$4,000,000 for development, imple-
 26 mentation, maintenance and support, and training for an

1 automated prisoner information system, shall remain
2 available until expended.

3 CONSTRUCTION

4 For planning, constructing, renovating, equipping,
5 and maintaining United States Marshals Service prisoner-
6 holding space in United States courthouses and federal
7 buildings, including the renovation and expansion of pris-
8 oner movement areas, elevators, and sallyports,
9 \$4,000,000, to remain available until expended.

10 JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM
11 FUND, UNITED STATES MARSHALS SERVICE

12 There is hereby established a Justice Prisoner and
13 Alien Transportation System Fund for the payment of
14 necessary expenses related to the scheduling and transpor-
15 tation of United States prisoners and illegal and criminal
16 aliens in the custody of the United States Marshals Serv-
17 ice, as authorized in 18 U.S.C. 4013, including, without
18 limitation, salaries and expenses, operations, and the ac-
19 quisition, lease, and maintenance of aircraft and support
20 facilities: *Provided*, That the Fund shall be reimbursed or
21 credited with advance payments from amounts available
22 to the Department of Justice, other Federal agencies, and
23 other sources at rates that will recover the expenses of
24 Fund operations, including, without limitation, accrual of
25 annual leave and depreciation of plant and equipment of
26 the Fund: *Provided further*, That proceeds from the dis-

1 posal of Fund aircraft shall be credited to the Fund: *Pro-*
 2 *vided further*, That amounts in the Fund shall be available
 3 without fiscal year limitation, and may be used for operat-
 4 ing equipment lease agreements that do not exceed five
 5 years: *Provided further*, That with respect to the transpor-
 6 tation of Federal, State, local and territorial prisoners and
 7 detainees, the lease or rent of aircraft by the Justice Pris-
 8 oner Air Transport System shall be considered use of pub-
 9 lic aircraft pursuant to 49 U.S.C. section 40102(a)(37).

10 For the initial capitalization costs of the Fund,
 11 \$10,000,000.

12 FEDERAL PRISONER DETENTION

13 For expenses, related to United States prisoners in
 14 the custody of the United States Marshals Service as au-
 15 thorized in 18 U.S.C. 4013, but not including expenses
 16 otherwise provided for in appropriations available to the
 17 Attorney General, \$407,018,000, as authorized by 28
 18 U.S.C. 561(i), to remain available until expended.

19 FEES AND EXPENSES OF WITNESSES

20 For expenses, mileage, compensation, and per diems
 21 of witnesses, for expenses of contracts for the procurement
 22 and supervision of expert witnesses, for private counsel ex-
 23 penses, and for per diems in lieu of subsistence, as author-
 24 ized by law, including advances, \$95,000,000, to remain
 25 available until expended; of which not to exceed
 26 \$6,000,000 may be made available for planning, construc-

1 tion, renovations, maintenance, remodeling, and repair of
 2 buildings, and the purchase of equipment incident thereto,
 3 for protected witness safesites; of which not to exceed
 4 \$1,000,000 may be made available for the purchase and
 5 maintenance of armored vehicles for transportation of pro-
 6 tected witnesses; and of which not to exceed \$4,000,000
 7 may be made available for the purchase, installation and
 8 maintenance of a secure, automated information network
 9 to store and retrieve the identities and locations of pro-
 10 tected witnesses.

11 SALARIES AND EXPENSES, COMMUNITY RELATIONS

12 SERVICE

13 For necessary expenses of the Community Relations
 14 Service, established by title X of the Civil Rights Act of
 15 1964, \$5,319,000: *Provided*, That notwithstanding any
 16 other provision of law, upon a determination by the Attor-
 17 ney General that emergent circumstances require addi-
 18 tional funding for conflict prevention and resolution activi-
 19 ties of the Community Relations Service, the Attorney
 20 General may transfer such amounts to the Community Re-
 21 lations Service, from available appropriations for the cur-
 22 rent fiscal year for the Department of Justice, as may be
 23 necessary to respond to such circumstances: *Provided fur-*
 24 *ther*, That any transfer pursuant to the previous proviso
 25 shall be treated as a reprogramming under section 605
 26 of this Act and shall not be available for obligation or ex-

1 penditure except in compliance with the procedures set
 2 forth in that section.

3 ASSETS FORFEITURE FUND

4 For expenses authorized by 28 U.S.C.
 5 524(c)(1)(A)(ii), (B), (F), and (G), as amended,
 6 \$23,000,000, to be derived from the Department of Jus-
 7 tice Assets Forfeiture Fund.

8 RADIATION EXPOSURE COMPENSATION

9 ADMINISTRATIVE EXPENSES

10 For necessary administrative expenses in accordance
 11 with the Radiation Exposure Compensation Act,
 12 \$2,000,000.

13 INTERAGENCY LAW ENFORCEMENT

14 INTERAGENCY CRIME AND DRUG ENFORCEMENT

15 For necessary expenses for the detection, investiga-
 16 tion, and prosecution of individuals involved in organized
 17 crime drug trafficking not otherwise provided for, to in-
 18 clude intergovernmental agreements with State and local
 19 law enforcement agencies engaged in the investigation and
 20 prosecution of individuals involved in organized crime drug
 21 trafficking, \$294,967,000: *Provided*, That any amounts
 22 obligated from appropriations under this heading may be
 23 used under authorities available to the organizations reim-
 24 bursed from this appropriation: *Provided further*, That any
 25 unobligated balances remaining available at the end of the
 26 fiscal year shall revert to the Attorney General for re-

1 allocation among participating organizations in succeeding
2 fiscal years, subject to the reprogramming procedures de-
3 scribed in section 605 of this Act.

4 FEDERAL BUREAU OF INVESTIGATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Federal Bureau of In-
7 vestigation for detection, investigation, and prosecution of
8 crimes against the United States; including purchase for
9 police-type use of not to exceed 2,668 passenger motor ve-
10 hicles, of which 2,000 will be for replacement only, without
11 regard to the general purchase price limitation for the cur-
12 rent fiscal year, and hire of passenger motor vehicles; ac-
13 quisition, lease, maintenance, and operation of aircraft;
14 and not to exceed \$70,000 to meet unforeseen emergencies
15 of a confidential character, to be expended under the di-
16 rection of, and to be accounted for solely under the certifi-
17 cate of, the Attorney General, \$2,522,050,000; of which
18 not to exceed \$50,000,000 for automated data processing
19 and telecommunications and technical investigative equip-
20 ment and not to exceed \$1,000,000 for undercover oper-
21 ations shall remain available until September 30, 2000;
22 of which not less than \$233,473,000 shall be for
23 counterterrorism investigations, foreign counterintel-
24 ligence, and other activities related to our national secu-
25 rity; of which not to exceed \$61,800,000 shall remain

1 available until expended; of which not to exceed
2 \$10,000,000 is authorized to be made available for making
3 advances for expenses arising out of contractual or reim-
4 bursable agreements with State and local law enforcement
5 agencies while engaged in cooperative activities related to
6 violent crime, terrorism, organized crime, and drug inves-
7 tigation; and of which \$1,500,000 shall be available to
8 maintain an independent program office dedicated solely
9 to the relocation of the Criminal Justice Information Serv-
10 ices Division and the automation of fingerprint identifica-
11 tion services: *Provided*, That not to exceed \$45,000 shall
12 be available for official reception and representation ex-
13 penses: *Provided further*, That no funds in this Act may
14 be used to provide ballistics imaging equipment to any
15 State or local authority which has obtained similar equip-
16 ment through a Federal grant or subsidy unless the State
17 or local authority agrees to return that equipment or to
18 repay that grant or subsidy to the Federal Government.

19 In addition, \$433,124,000 for such purposes, to re-
20 main available until expended, to be derived from the Vio-
21 lent Crime Reduction Trust Fund, as authorized by the
22 Violent Crime Control and Law Enforcement Act of 1994
23 as amended, and the Antiterrorism and Effective Death
24 Penalty Act of 1996.

1 CONSTRUCTION

2 For necessary expenses to construct or acquire build-
3 ings and sites by purchase, or as otherwise authorized by
4 law (including equipment for such buildings); conversion
5 and extension of federally-owned buildings; and prelimi-
6 nary planning and design of projects; \$1,287,000, to re-
7 main available until expended.

8 DRUG ENFORCEMENT ADMINISTRATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Drug Enforcement Ad-
11 ministration, including not to exceed \$70,000 to meet un-
12 foreseen emergencies of a confidential character, to be ex-
13 pended under the direction of, and to be accounted for
14 solely under the certificate of, the Attorney General; ex-
15 penses for conducting drug education and training pro-
16 grams, including travel and related expenses for partici-
17 pants in such programs and the distribution of items of
18 token value that promote the goals of such programs; pur-
19 chase of not to exceed 1,428 passenger motor vehicles, of
20 which 1,080 will be for replacement only, for police-type
21 use without regard to the general purchase price limitation
22 for the current fiscal year; and acquisition, lease, mainte-
23 nance, and operation of aircraft; \$802,054,000, of which
24 not to exceed \$1,800,000 for research and \$15,000,000
25 for transfer to the Drug Diversion Control Fee Account

1 for operating expenses shall remain available until ex-
2 pended, and of which not to exceed \$5,000,000 for pur-
3 chase of evidence and payments for information, not to
4 exceed \$10,000,000 for contracting for automated data
5 processing and telecommunications equipment, and not to
6 exceed \$2,000,000 for laboratory equipment, \$4,000,000
7 for technical equipment, and \$2,000,000 for aircraft re-
8 placement retrofit and parts, shall remain available until
9 September 30, 2000; and of which not to exceed \$50,000
10 shall be available for official reception and representation
11 expenses.

12 In addition, \$407,000,000, for such purposes, to re-
13 main available until expended, to be derived from the Vio-
14 lent Crime Reduction Trust Fund.

15 CONSTRUCTION

16 For necessary expenses to construct or acquire build-
17 ings and sites by purchase, or as otherwise authorized by
18 law (including equipment for such buildings); conversion
19 and extension of federally-owned buildings; and prelimi-
20 nary planning and design of projects; \$8,000,000, to re-
21 main available until expended.

22 IMMIGRATION AND NATURALIZATION SERVICE

23 SALARIES AND EXPENSES

24 For expenses, not otherwise provided for, necessary
25 for the administration and enforcement of the laws relat-
26 ing to immigration, naturalization, and alien registration,

1 including not to exceed \$50,000 to meet unforeseen emer-
2 gencies of a confidential character, to be expended under
3 the direction of, and to be accounted for solely under the
4 certificate of, the Attorney General; purchase for police
5 type use (not to exceed 2,904, of which 1,711 are for re-
6 placement only), without regard to the general purchase
7 price limitation for the current fiscal year, and hire of pas-
8 senger motor vehicles; acquisition, lease, maintenance and
9 operation of aircraft; research related to immigration en-
10 forcement; and for the care and housing of Federal detain-
11 ees held in the joint Immigration and Naturalization Serv-
12 ice and United States Marshals Service's Buffalo Deten-
13 tion Facility; \$1,169,317,000 of which not to exceed
14 \$400,000 for research shall remain available until ex-
15 pended; of which not to exceed \$10,000,000 shall be avail-
16 able for costs associated with the training program for
17 basic officer training, and \$5,000,000 is for payments or
18 advances arising out of contractual or reimbursable agree-
19 ments with State and local law enforcement agencies while
20 engaged in cooperative activities related to immigration;
21 and of which not to exceed \$5,000,000 is to fund or reim-
22 burse other Federal agencies for the costs associated with
23 the care, maintenance, and repatriation of smuggled illegal
24 aliens: *Provided*, That none of the funds available to the
25 Immigration and Naturalization Service shall be available

1 to pay any employee overtime pay in an amount in excess
2 of \$30,000 during the calendar year beginning January
3 1, 1999: *Provided further*, That uniforms may be pur-
4 chased without regard to the general purchase price limi-
5 tation for the current fiscal year: *Provided further*, That
6 not to exceed \$5,000 shall be available for official recep-
7 tion and representation expenses: *Provided further*, That
8 not to exceed 20 permanent positions and 20 full-time
9 equivalent workyears and \$1,711,000 shall be expended
10 for the Office of Legislative Affairs and Public Affairs:
11 *Provided further*, That the latter two aforementioned of-
12 fices shall not be augmented by personnel details, tem-
13 porary transfers of personnel on either a reimbursable or
14 non-reimbursable basis or any other type of formal or in-
15 formal transfer or reimbursement of personnel or funds
16 on either a temporary or long-term basis: *Provided further*,
17 That the number of positions filled through non-career ap-
18 pointment at the Immigration and Naturalization Service,
19 for which funding is provided in this Act or is otherwise
20 made available to the Immigration and Naturalization
21 Service, shall not exceed four permanent positions and
22 four full-time equivalent workyears.

23 In addition, \$1,099,667,000, for such purposes, to re-
24 main available until expended, to be derived from the Vio-
25 lent Crime Reduction Trust Fund.

1 CONSTRUCTION

2 For planning, construction, renovation, equipping,
3 and maintenance of buildings and facilities necessary for
4 the administration and enforcement of the laws relating
5 to immigration, naturalization, and alien registration, not
6 otherwise provided for, \$110,251,000, to remain available
7 until expended.

8 FEDERAL PRISON SYSTEM

9 SALARIES AND EXPENSES

10 For expenses necessary for the administration, oper-
11 ation, and maintenance of Federal penal and correctional
12 institutions, including purchase (not to exceed 763, of
13 which 599 are for replacement only) and hire of law en-
14 forcement and passenger motor vehicles, and for the provi-
15 sion of technical assistance and advice on corrections re-
16 lated issues to foreign governments; \$2,909,956,000: *Pro-*
17 *vided*, That the Attorney General may transfer to the
18 Health Resources and Services Administration such
19 amounts as may be necessary for direct expenditures by
20 that Administration for medical relief for inmates of Fed-
21 eral penal and correctional institutions: *Provided further*,
22 That the Director of the Federal Prison System (FPS),
23 where necessary, may enter into contracts with a fiscal
24 agent/fiscal intermediary claims processor to determine
25 the amounts payable to persons who, on behalf of the

1 FPS, furnish health services to individuals committed to
 2 the custody of the FPS: *Provided further*, That not to ex-
 3 ceed \$6,000 shall be available for official reception and
 4 representation expenses: *Provided further*, That not to ex-
 5 ceed \$90,000,000 for the activation of new facilities shall
 6 remain available until September 30, 2000: *Provided fur-*
 7 *ther*, That of the amounts provided for Contract Confine-
 8 ment, not to exceed \$20,000,000 shall remain available
 9 until expended to make payments in advance for grants,
 10 contracts and reimbursable agreements, and other ex-
 11 penses authorized by section 501(c) of the Refugee Edu-
 12 cation Assistance Act of 1980, as amended, for the care
 13 and security in the United States of Cuban and Haitian
 14 entrants: *Provided further*, That notwithstanding section
 15 4(d) of the Service Contract Act of 1965 (41 U.S.C.
 16 353(d)), FPS may enter into contracts and other agree-
 17 ments with private entities for periods of not to exceed
 18 3 years and 7 additional option years for the confinement
 19 of Federal prisoners.

20 In addition, \$9,559,000, for such purposes, to remain
 21 available until expended, to be derived from the Violent
 22 Crime Reduction Trust Fund.

23 BUILDINGS AND FACILITIES

24 For planning, acquisition of sites and construction of
 25 new facilities; leasing the Oklahoma City Airport Trust
 26 Facility; purchase and acquisition of facilities and remod-

1 eling, and equipping of such facilities for penal and correc-
2 tional use, including all necessary expenses incident there-
3 to, by contract or force account; and constructing, remod-
4 eling, and equipping necessary buildings and facilities at
5 existing penal and correctional institutions, including all
6 necessary expenses incident thereto, by contract or force
7 account; \$379,197,000, to remain available until ex-
8 pended, of which not to exceed \$14,074,000 shall be avail-
9 able to construct areas for inmate work programs: *Pro-*
10 *vided*, That labor of United States prisoners may be used
11 for work performed under this appropriation: *Provided*
12 *further*, That not to exceed 10 percent of the funds appro-
13 priated to “Buildings and Facilities” in this Act or any
14 other Act may be transferred to “Salaries and Expenses”,
15 Federal Prison System, upon notification by the Attorney
16 General to the Committees on Appropriations of the
17 House of Representatives and the Senate in compliance
18 with provisions set forth in section 605 of this Act.

19 FEDERAL PRISON INDUSTRIES, INCORPORATED

20 The Federal Prison Industries, Incorporated, is here-
21 by authorized to make such expenditures, within the limits
22 of funds and borrowing authority available, and in accord
23 with the law, and to make such contracts and commit-
24 ments, without regard to fiscal year limitations as pro-
25 vided by section 9104 of title 31, United States Code, as
26 may be necessary in carrying out the program set forth

1 in the budget for the current fiscal year for such corpora-
2 tion, including purchase of (not to exceed five for replace-
3 ment only) and hire of passenger motor vehicles.

4 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
5 PRISON INDUSTRIES, INCORPORATED

6 Not to exceed \$3,266,000 of the funds of the corpora-
7 tion shall be available for its administrative expenses, and
8 for services as authorized by 5 U.S.C. 3109, to be com-
9 puted on an accrual basis to be determined in accordance
10 with the corporation's current prescribed accounting sys-
11 tem, and such amounts shall be exclusive of depreciation,
12 payment of claims, and expenditures which the said ac-
13 counting system requires to be capitalized or charged to
14 cost of commodities acquired or produced, including sell-
15 ing and shipping expenses, and expenses in connection
16 with acquisition, construction, operation, maintenance, im-
17 provement, protection, or disposition of facilities and other
18 property belonging to the corporation or in which it has
19 an interest.

20 OFFICE OF JUSTICE PROGRAMS

21 JUSTICE ASSISTANCE

22 For grants, contracts, cooperative agreements, and
23 other assistance authorized by title I of the Omnibus
24 Crime Control and Safe Streets Act of 1968, as amended,
25 and the Missing Children's Assistance Act, as amended,
26 including salaries and expenses in connection therewith,

1 and the Victims of Crime Act of 1984, as amended, and
2 section 822 of the Antiterrorism and Effective Death Pen-
3 alty Act of 1996, \$170,151,000, to remain available until
4 expended, as authorized by section 1001 of title I of the
5 Omnibus Crime Control and Safe Streets Act, as amended
6 by Public Law 102–534 (106 Stat. 3524).

7 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

8 For grants, contracts, cooperative agreements, and
9 other assistance authorized by part E of title I of the Om-
10 nibus Crime Control and Safe Streets Act of 1968, as
11 amended, for State and Local Narcotics Control and Jus-
12 tice Assistance Improvements, notwithstanding the provi-
13 sions of section 511 of said Act, \$552,000,000, to remain
14 available until expended, as authorized by section 1001 of
15 title I of said Act, as amended by Public Law 102–534
16 (106 Stat. 3524), of which \$47,000,000 shall be available
17 to carry out the provisions of chapter A of subpart 2 of
18 part E of title I of said Act, for discretionary grants under
19 the Edward Byrne Memorial State and Local Law En-
20 forcement Assistance Programs, including \$4,500,000
21 which shall be available to the Executive Office of United
22 States Attorneys to support the National District Attor-
23 neys Association’s participation in legal education training
24 at the National Advocacy Center.

1 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND
2 LOCAL LAW ENFORCEMENT ASSISTANCE

3 For assistance (including amounts for administrative
4 costs for management and administration, which amounts
5 shall be transferred to and merged with the “Justice As-
6 sistance” account) authorized by the Violent Crime Con-
7 trol and Law Enforcement Act of 1994 (Public Law 103–
8 322), as amended (“the 1994 Act”); the Omnibus Crime
9 Control and Safe Streets Act of 1968, as amended (“the
10 1968 Act”); and the Victims of Child Abuse Act of 1990,
11 as amended (“the 1990 Act”); \$2,124,650,000, to remain
12 available until expended, which shall be derived from the
13 Violent Crime Reduction Trust Fund; of which
14 \$500,000,000 shall be for Local Law Enforcement Block
15 Grants, pursuant to H.R. 728 as passed by the House of
16 Representatives on February 14, 1995, except that for
17 purposes of this Act, the Commonwealth of Puerto Rico
18 shall be considered a “unit of local government” as well
19 as a “State”, for the purposes set forth in paragraphs (A),
20 (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728
21 and for establishing crime prevention programs involving
22 cooperation between community residents and law enforce-
23 ment personnel in order to control, detect, or investigate
24 crime or the prosecution of criminals: *Provided*, That no
25 funds provided under this heading may be used as match-

1 ing funds for any other Federal grant program: *Provided*
2 *further*, That \$40,000,000 of this amount shall be for
3 Boys and Girls Clubs in public housing facilities and other
4 areas in cooperation with State and local law enforcement:
5 *Provided further*, That funds may also be used to defray
6 the costs of indemnification insurance for law enforcement
7 officers: *Provided further*, That, hereafter, for the purpose
8 of eligibility for the Local Law Enforcement Block Grant
9 Program in the State of Louisiana, parish sheriffs are to
10 be considered the unit of local government under section
11 108 of H.R. 728: *Provided further*, That \$20,000,000
12 shall be available to carry out section 102(2) of H.R. 728;
13 of which \$45,000,000 shall be for grants to upgrade crimi-
14 nal records, as authorized by section 106(b) of the Brady
15 Handgun Violence Prevention Act of 1993, as amended,
16 and section 4(b) of the National Child Protection Act of
17 1993; of which \$350,000,000 shall be for the State Crimi-
18 nal Alien Assistance Program, as authorized by section
19 242(j) of the Immigration and Nationality Act, as amend-
20 ed; of which \$711,000,000 shall be for Violent Offender
21 Incarceration and Truth in Sentencing Incentive Grants
22 pursuant to subtitle A of title II of the 1994 Act, of which
23 \$150,000,000 shall be available for payments to States for
24 incarceration of criminal aliens, of which \$25,000,000
25 shall be available for the Cooperative Agreement Program,

1 and of which \$52,000,000 shall be for the construction,
2 renovation and repair of tribal detention facilities; of
3 which \$9,000,000 shall be for the Court Appointed Special
4 Advocate Program, as authorized by section 218 of the
5 1990 Act; of which \$2,000,000 shall be for Child Abuse
6 Training Programs for Judicial Personnel and Practition-
7 ers, as authorized by section 224 of the 1990 Act; of which
8 \$210,750,000 shall be for Grants to Combat Violence
9 Against Women, to States, units of local government, and
10 Indian tribal governments, as authorized by section
11 1001(a)(18) of the 1968 Act, including \$12,000,000
12 which shall be used exclusively for the purpose of strength-
13 ening civil legal assistance programs for victims of domes-
14 tic violence, and \$10,000,000 which shall be used exclu-
15 sively for violence on college campuses: *Provided further*,
16 That, of these funds, \$5,200,000 shall be provided to the
17 National Institute of Justice for research and evaluation
18 of violence against women, \$1,196,000 shall be provided
19 to the Office of the United States Attorney for the District
20 of Columbia for domestic violence programs in D.C. Supe-
21 rior Court, and \$10,000,000 shall be available to the Of-
22 fice of Juvenile Justice and Delinquency Prevention for
23 the Safe Start Program, to be administered as authorized
24 by part C of the Juvenile Justice and Delinquency Act
25 of 1974, as amended; of which \$30,000,000 shall be for

1 Grants to Encourage Arrest Policies to States, units of
2 local government, and Indian tribal governments, as au-
3 thorized by section 1001(a)(19) of the 1968 Act; of which
4 \$25,000,000 shall be for Rural Domestic Violence and
5 Child Abuse Enforcement Assistance Grants, as author-
6 ized by section 40295 of the 1994 Act; of which
7 \$5,000,000 shall be for training programs to assist proba-
8 tion and parole officers who work with released sex offend-
9 ers, as authorized by section 40152(c) of the 1994 Act,
10 and for local demonstration projects; of which \$1,000,000
11 shall be for grants for televised testimony, as authorized
12 by section 1001(a)(7) of the 1968 Act; of which
13 \$10,000,000 shall be for the Tribal Courts Initiative; of
14 which \$63,000,000 shall be for grants for residential sub-
15 stance abuse treatment for State prisoners, as authorized
16 by section 1001(a)(17) of the 1968 Act; of which
17 \$15,000,000 shall be for grants to States and units of
18 local government for projects to improve DNA analysis,
19 as authorized by section 1001(a)(22) of the 1968 Act; of
20 which \$900,000 shall be for the Missing Alzheimer's Dis-
21 ease Patient Alert Program, as authorized by section
22 240001(c) of the 1994 Act; of which \$2,000,000 shall be
23 for Motor Vehicle Theft Prevention Programs, as author-
24 ized by section 220002(h) of the 1994 Act; of which
25 \$40,000,000 shall be for Drug Courts, as authorized by

1 title V of the 1994 Act; of which \$2,000,000 shall be for
2 Law Enforcement Family Support Programs, as author-
3 ized by section 1001(a)(21) of the 1968 Act; of which
4 \$2,000,000 shall be for public awareness programs ad-
5 dressing marketing scams aimed at senior citizens, as au-
6 thorized by section 250005(3) of the 1994 Act; and of
7 which \$100,000,000 shall be for Juvenile Accountability
8 Incentive Block Grants pursuant to Title III of H.R. 3
9 as passed by the House of Representatives on May 8,
10 1997, of which \$9,523,685 shall be for discretionary
11 grants: *Provided further*, That notwithstanding the re-
12 quirements of H.R. 3, a State, or unit of local government
13 within such State, shall be eligible for a grant under this
14 program if the Governor of the State certifies to the Attor-
15 ney General, consistent with guidelines established by the
16 Attorney General in consultation with Congress, that the
17 State is actively considering, or will consider within one
18 year from the date of such certification, legislation, poli-
19 cies, or practices which if enacted would qualify the State
20 for a grant under section 1802 of H.R. 3: *Provided fur-*
21 *ther*, That 3 percent shall be available to the Attorney
22 General for research, evaluation, and demonstration con-
23 sistent with this program and 2 percent shall be available
24 to the Attorney General for training and technical assist-
25 ance consistent with this program: *Provided further*, That

1 not less than 45 percent of any grant provided to a State
2 or unit of local government shall be spent for the purposes
3 set forth in paragraphs (3) through (9), and not less than
4 35 percent shall be spent for the purposes set forth in
5 paragraphs (1), (2) and (10) of section 1801(b) of H.R.
6 3, unless the State or unit of local government certifies
7 to the Attorney General or the State, whichever is appro-
8 priate, that the interests of public safety and juvenile
9 crime control would be better served by expending its
10 grant for other purposes set forth under section 1801(b)
11 of H.R. 3: *Provided further*, That the Federal share limita-
12 tion in section 1805(e) of H.R. 3 shall be 50 percent in
13 relation to the costs of constructing a permanent juvenile
14 corrections facility: *Provided further*, That prior to receiv-
15 ing a grant under this program, a unit of local government
16 must establish a coordinated enforcement plan for reduc-
17 ing juvenile crime, developed by a juvenile crime enforce-
18 ment coalition, such coalition consisting of individuals rep-
19 resenting the police, sheriff, prosecutor, State or local pro-
20 bation services, juvenile court, schools, business, and reli-
21 gious affiliated, fraternal, non-profit, or social service or-
22 ganizations involved in crime prevention: *Provided further*,
23 That the conditions of sections 1802(a)(3) and
24 1802(b)(1)(C) of H.R. 3 regarding juvenile adjudication
25 records require a State or unit of local government to

1 make available to the Federal Bureau of Investigation
2 records of delinquency adjudications which are treated in
3 a manner equivalent to adult records: *Provided further*,
4 That no State or unit of local government may receive a
5 grant under this program unless such State or unit of
6 local government has implemented, or will implement no
7 later than January 1, 1999, a policy of controlled sub-
8 stance testing for appropriate categories of juveniles with-
9 in the juvenile justice system and funds received under
10 this program may be expended for such purpose: *Provided*
11 *further*, That the minimum allocation for each State under
12 section 1803(a)(1)(A) of H.R. 3 shall be 0.5 percent: *Pro-*
13 *vided further*, That the terms and conditions under this
14 heading for juvenile accountability incentive block grants
15 are effective for fiscal year 1999 only and upon the enact-
16 ment of authorization legislation for juvenile accountabil-
17 ity incentive block grants, funding provided in this Act
18 shall from that date be subject to the provisions of that
19 legislation and any provisions in this Act that are incon-
20 sistent with that legislation shall no longer have effect:
21 *Provided further*, That funds made available in fiscal year
22 1999 under subpart 1 of part E of title I of the 1968
23 Act may be obligated for programs to assist States in the
24 litigation processing of death penalty Federal habeas cor-
25 pus petitions and for drug testing initiatives: *Provided fur-*

1 *ther*, That if a unit of local government uses any of the
 2 funds made available under this title to increase the num-
 3 ber of law enforcement officers, the unit of local govern-
 4 ment will achieve a net gain in the number of law enforce-
 5 ment officers who perform nonadministrative public safety
 6 service.

7 WEED AND SEED PROGRAM FUND

8 For necessary expenses, including salaries and relat-
 9 ed expenses of the Executive Office for Weed and Seed,
 10 to implement “Weed and Seed” program activities,
 11 \$40,000,000, to remain available until expended, for inter-
 12 governmental agreements, including grants, cooperative
 13 agreements, and contracts, with State and local law en-
 14 forcement agencies engaged in the investigation and pros-
 15 ecution of violent crimes and drug offenses in “Weed and
 16 Seed” designated communities, and for either reimburse-
 17 ments or transfers to appropriation accounts of the De-
 18 partment of Justice and other Federal agencies which
 19 shall be specified by the Attorney General to execute the
 20 “Weed and Seed” program strategy: *Provided*, That funds
 21 designated by Congress through language for other De-
 22 partment of Justice appropriation accounts for “Weed and
 23 Seed” program activities shall be managed and executed
 24 by the Attorney General through the Executive Office for
 25 Weed and Seed: *Provided further*, That the Attorney Gen-
 26 eral may direct the use of other Department of Justice

1 funds and personnel in support of “Weed and Seed” pro-
 2 gram activities only after the Attorney General notifies the
 3 Committees on Appropriations of the House of Represent-
 4 atives and the Senate in accordance with section 605 of
 5 this Act.

6 COMMUNITY ORIENTED POLICING SERVICES

7 VIOLENT CRIME REDUCTION PROGRAMS

8 For activities authorized by the Violent Crime Con-
 9 trol and Law Enforcement Act of 1994, Public Law 103–
 10 322 (“the 1994 Act”) (including administrative costs),
 11 \$1,400,000,000, to remain available until expended, which
 12 shall be derived from the Violent Crime Reduction Trust
 13 Fund, for Public Safety and Community Policing Grants
 14 pursuant to title I of the 1994 Act: *Provided*, That not
 15 to exceed 266 permanent positions and 266 full-time
 16 equivalent workyears and \$34,023,000 shall be expended
 17 for program management and administration: *Provided*
 18 *further*, That of the unobligated balances available in this
 19 program, \$119,960,000 shall be used for innovative com-
 20 munity policing programs, of which \$65,960,000 shall be
 21 used for a law enforcement technology program,
 22 \$1,000,000 shall be used for police recruitment programs
 23 authorized under subtitle H of title III of the 1994 Act,
 24 \$15,500,000 shall be used for policing initiatives to com-
 25 bat methamphetamine production and trafficking,

1 \$12,500,000 shall be used for the Community Policing to
 2 Combat Domestic Violence Program pursuant to section
 3 1701(d) of part Q of the Omnibus Crime Control and Safe
 4 Streets Act of 1968, as amended, and \$25,000,000 shall
 5 be used for the Matching Grant Program for Law En-
 6 forcement Armor Vests pursuant to section 2501 of part
 7 Y of the Omnibus Crime Control and Safe Streets Act of
 8 1968, as amended: *Provided further*, That up to
 9 \$54,000,000 shall be available to improve tribal law en-
 10 forcement including equipment and training.

11 In addition, for activities authorized by the 1994 Act,
 12 \$40,000,000 for the Police Corps program to remain
 13 available until expended, which shall be derived from the
 14 Violent Crime Reduction Trust Fund.

15 JUVENILE JUSTICE PROGRAMS

16 For grants, contracts, cooperative agreements, and
 17 other assistance authorized by the Juvenile Justice and
 18 Delinquency Prevention Act of 1974, as amended, (“the
 19 Act”), including salaries and expenses in connection there-
 20 with to be transferred to and merged with the appropria-
 21 tions for Justice Assistance, \$277,597,000, to remain
 22 available until expended, as authorized by section 299 of
 23 part I of title II and section 506 of title V of the Act,
 24 as amended by Public Law 102–586, of which (1) notwith-
 25 standing any other provision of law, \$6,847,000 shall be
 26 available for expenses authorized by part A of title II of

1 the Act, \$96,000,000 shall be available for expenses au-
2 thorized by part B of title II of the Act, and \$45,750,000
3 shall be available for expenses authorized by part C of title
4 II of the Act: *Provided*, That \$26,500,000 of the amounts
5 provided for part B of title II of the Act, as amended,
6 is for the purpose of providing additional formula grants
7 under part B to States that provide assurances to the Ad-
8 ministrator that the State has in effect (or will have in
9 effect no later than one year after date of application) poli-
10 cies and programs, that ensure that juveniles are subject
11 to accountability-based sanctions for every act for which
12 they are adjudicated delinquent; (2) \$12,000,000 shall be
13 available for expenses authorized by section 281 and 282
14 of part D of title II of the Act for prevention and treat-
15 ment programs relating to juvenile gangs; (3)
16 \$10,000,000 shall be available for expenses authorized by
17 section 285 of part E of title II of the Act; (4)
18 \$12,000,000 shall be available for expenses authorized by
19 part G of title II of the Act for juvenile mentoring pro-
20 grams; and (5) \$95,000,000 shall be available for expenses
21 authorized by title V of the Act for incentive grants for
22 local delinquency prevention programs; of which
23 \$20,000,000 shall be for delinquency prevention, control,
24 and system improvement programs for tribal youth; of
25 which \$25,000,000 shall be available for grants of

1 \$360,000 to each state and \$6,640,000 shall be available
2 for discretionary grants to states, for programs and activi-
3 ties to enforce state laws prohibiting the sale of alcoholic
4 beverages to minors or the purchase or consumption of
5 alcoholic beverages by minors, prevention and reduction
6 of consumption of alcoholic beverages by minors, and for
7 technical assistance and training: *Provided further*, That
8 upon the enactment of reauthorization legislation for Ju-
9 venile Justice Programs under the Juvenile Justice and
10 Delinquency Prevention Act of 1974, as amended, funding
11 provisions in this Act shall from that date be subject to
12 the provisions of that legislation and any provisions in this
13 Act that are inconsistent with that legislation shall no
14 longer have effect: *Provided further*, That of amounts
15 made available under the Juvenile Justice Programs of the
16 Office of Justice Programs to carry out part B (relating
17 to Federal Assistance for State and Local Programs), sub-
18 part II of part C (relating to Special Emphasis Prevention
19 and Treatment Programs), part D (relating to Gang-Free
20 Schools and Communities and Community-Based Gang
21 Intervention), part E (relating to State Challenge Activi-
22 ties), and part G (relating to Mentoring) of title II of the
23 Juvenile Justice and Delinquency Prevention Act of 1974,
24 and to carry out the At-Risk Children's Program under
25 title V of that Act, not more than 10 percent of each such

1 amount may be used for research, evaluation, and statis-
 2 ties activities designed to benefit the programs or activities
 3 authorized under the appropriate part or title, and not
 4 more than 2 percent of each such amount may be used
 5 for training and technical assistance activities designed to
 6 benefit the programs or activities authorized under that
 7 part or title.

8 In addition, for grants, contracts, cooperative agree-
 9 ments, and other assistance authorized by the Victims of
 10 Child Abuse Act of 1990, as amended, \$7,000,000, to re-
 11 main available until expended, as authorized by section
 12 214B of the Act.

13 PUBLIC SAFETY OFFICERS BENEFITS

14 To remain available until expended, for payments au-
 15 thorized by part L of title I of the Omnibus Crime Control
 16 and Safe Streets Act of 1968 (42 U.S.C. 3796), as amend-
 17 ed, such sums as are necessary, as authorized by section
 18 6093 of Public Law 100–690 (102 Stat. 4339–4340).

19 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

20 SEC. 101. In addition to amounts otherwise made
 21 available in this title for official reception and representa-
 22 tion expenses, a total of not to exceed \$45,000 from funds
 23 appropriated to the Department of Justice in this title
 24 shall be available to the Attorney General for official re-
 25 ception and representation expenses in accordance with

1 distributions, procedures, and regulations established by
2 the Attorney General.

3 SEC. 102. None of the funds appropriated by this
4 title shall be available to pay for an abortion, except where
5 the life of the mother would be endangered if the fetus
6 were carried to term, or in the case of rape: *Provided*,
7 That should this prohibition be declared unconstitutional
8 by a court of competent jurisdiction, this section shall be
9 null and void.

10 SEC. 103. None of the funds appropriated under this
11 title shall be used to require any person to perform, or
12 facilitate in any way the performance of, any abortion.

13 SEC. 104. Nothing in the preceding section shall re-
14 move the obligation of the Director of the Bureau of Pris-
15 ons to provide escort services necessary for a female in-
16 mate to receive such service outside the Federal facility:
17 *Provided*, That nothing in this section in any way dimin-
18 ishes the effect of section 103 intended to address the phil-
19 osophical beliefs of individual employees of the Bureau of
20 Prisons.

21 SEC. 105. Notwithstanding any other provision of
22 law, not to exceed \$10,000,000 of the funds made avail-
23 able in this Act may be used to establish and publicize
24 a program under which publicly-advertised, extraordinary
25 rewards may be paid, which shall not be subject to spend-

1 ing limitations contained in sections 3059 and 3072 of
2 title 18, United States Code: *Provided*, That any reward
3 of \$100,000 or more, up to a maximum of \$2,000,000,
4 may not be made without the personal approval of the
5 President or the Attorney General and such approval may
6 not be delegated.

7 SEC. 106. Not to exceed 5 percent of any appropria-
8 tion made available for the current fiscal year for the De-
9 partment of Justice in this Act, including those derived
10 from the Violent Crime Reduction Trust Fund, may be
11 transferred between such appropriations, but no such ap-
12 propriation, except as otherwise specifically provided, shall
13 be increased by more than 10 percent by any such trans-
14 fers: *Provided*, That any transfer pursuant to this section
15 shall be treated as a reprogramming of funds under sec-
16 tion 605 of this Act and shall not be available for obliga-
17 tion except in compliance with the procedures set forth
18 in that section.

19 SEC. 107. Any amounts credited to the “Legalization
20 Account” established under section 245(c)(7)(B) of the
21 Immigration and Nationality Act (8 U.S.C.
22 1255a(c)(7)(B)) are transferred to the “Examinations
23 Fee Account” established under section 286(m) of that
24 Act (8 U.S.C. 1356(m)).

25 SEC. 108. 28 U.S.C. Section 589a(b) is amended—

1 (1) by striking “and” in paragraph (7);

2 (2) by striking the period in paragraph (8) and
3 inserting in lieu thereof “; and”; and

4 (3) by adding a new paragraph as follows:

5 “(9) interest earned on Fund investments.”.

6 SEC. 109. Notwithstanding any other provision of
7 law, during fiscal year 1999, the Assistant Attorney Gen-
8 eral for the Office of Justice Programs of the Department
9 of Justice—

10 (1) may make grants, or enter into cooperative
11 agreements and contracts, for the Office of Justice
12 Programs and the component organizations of that
13 Office; and

14 (2) shall have final authority over all grants, co-
15 operative agreements, and contracts made, or en-
16 tered into, for the Office of Justice Programs and
17 the component organizations of that Office.

18 SEC. 110. (a) ADJUSTMENT OF STATUS.—Section
19 245(i) of the Immigration and Nationality Act (8 U.S.C.
20 1255(i)) is amended—

21 (1) in paragraph (1), by amending the first sen-
22 tence to read as follows: “Notwithstanding the provi-
23 sions of subsections (a) and (c) of this section, an
24 alien physically present in the United States who—

1 “(A) entered the United States without in-
2 spection; or

3 “(B) is within one of the classes enumer-
4 ated in subsection (c) of this section,
5 may apply to the Attorney General for the adjust-
6 ment of his or her status to that of an alien lawfully
7 admitted for permanent residence.”; and

8 (2) in paragraph (3)(B), by striking “Breach
9 Bond/Detention Fund established under section
10 286(r)” and inserting “Immigration Detention and
11 Naturalization Activity Account established under
12 section 286(s)”.

13 (b) REPEAL.—

14 (1) IN GENERAL.—Section 245(k) of the Immi-
15 gration and Nationality Act (8 U.S.C. 1255(k)) is
16 repealed.

17 (2) CONFORMING AMENDMENT.—Section
18 245(c)(2) of the Immigration and Nationality Act (8
19 U.S.C. 1255(c)(2)) is amended by striking “subject
20 to subsection (k),”.

21 (c) IMMIGRATION DETENTION AND NATURALIZATION
22 ACTIVITY ACCOUNT.—Section 286 of the Immigration
23 and Nationality Act (8 U.S.C. 1356) is amended by add-
24 ing at the end the following new subsection:

1 “(s) IMMIGRATION DETENTION AND NATURALIZA-
2 TION ACTIVITY ACCOUNT.—

3 “(1) ESTABLISHMENT.—There is established in
4 the general fund of the Treasury a separate account
5 which shall be known as the ‘Immigration Detention
6 And Naturalization Activity Account’. Notwithstand-
7 ing any other section of this title, there shall be de-
8 posited as offsetting receipts into the Immigration
9 Detention And Naturalization Activity Account
10 amounts described in section 245(i)(3)(B) to remain
11 available until expended.

12 “(2) USES OF THE ACCOUNT.—

13 “(A) IN GENERAL.—The Secretary of the
14 Treasury shall refund out of the Immigration
15 Detention And Naturalization Activity Account
16 to any appropriation the amount paid out of
17 such appropriation for expenses incurred by the
18 Attorney General for the detention of aliens, for
19 construction relating to such detention, and for
20 activities relating to the naturalization of citi-
21 zens.

22 “(B) QUARTERLY REFUNDS; ADJUST-
23 MENTS.—The amounts that are required to be
24 refunded under subparagraph (A) shall be re-
25 funded at least quarterly on the basis of esti-

1 mates made by the Attorney General of the ex-
2 penses referred to in subparagraph (A). Proper
3 adjustments shall be made in the amounts sub-
4 sequently refunded under subparagraph (A) to
5 the extent prior estimates were in excess of, or
6 less than, the amount required to be refunded
7 under subparagraph (A).

8 “(C) ESTIMATES IN BUDGET REQUESTS.—

9 The amounts required to be refunded from the
10 Immigration Detention And Naturalization Ac-
11 tivity Account for fiscal year 1999 or any fiscal
12 year thereafter shall be refunded in accordance
13 with estimates made in the budget request of
14 the Attorney General for that fiscal year. Any
15 proposed changes in the amounts designated in
16 such budget requests shall only be made after
17 notification to the Committees on Appropria-
18 tions of the House of Representatives and the
19 Senate in accordance with section 605 of Public
20 Law 104–134.

21 “(3) ANNUAL REPORTS.—The Attorney General
22 shall annually submit to Congress a report setting
23 forth—

24 “(A) the financial condition of the Immi-
25 gration Detention And Naturalization Activity

1 Account for the current fiscal year, including
2 beginning account balance, revenues, withdraw-
3 als, and ending account balance; and

4 “(B) projections for revenues, withdrawals,
5 and the beginning and ending account balances
6 for the next fiscal year.”.

7 (d) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall apply to applications for adjustment
9 of status filed on or after the end of the 90-day period
10 beginning on the date of enactment of this Act.

11 SEC. 111. Notwithstanding any other provision of
12 law, with respect to any grant program for which amounts
13 are made available under this title, the term “tribal”
14 means of or relating to an Indian tribe (as that term is
15 defined in section 102(2) of the Federally Recognized In-
16 dian Tribe List Act of 1994 (25 U.S.C. 479a(2))).

17 SEC. 112. Section 13(e)(1)(C) of the Immigration
18 and Nationality Act (8 U.S.C. 1356(e)(1)(C)) is amended
19 by inserting “State” and a comma immediately before
20 “territory”.

21 SEC. 113. For fiscal year 1999 and thereafter, the
22 Director of the Bureau of Prisons may make expenditures
23 out of the Commissary Fund of the Federal Prison Sys-
24 tem, regardless of whether any such expenditure is secu-
25 rity-related, for programs, goods, and services for the ben-

1 efit of inmates (to the extent the provision of those pro-
2 grams, goods, or services to inmates is not otherwise pro-
3 hibited by law), including—

4 (1) the installation, operation, and maintenance
5 of the Inmate Telephone System;

6 (2) the payment of all the equipment purchased
7 or leased in connection with the Inmate Telephone
8 System; and

9 (3) the salaries, benefits, and other expenses of
10 personnel who install, operate, and maintain the In-
11 mate Telephone System.

12 SEC. 114. (a)(1) Notwithstanding any other provision
13 of law, for fiscal year 1999 and thereafter, the Attorney
14 General may obligate any funds appropriated for or reim-
15 bursed to the Counterterrorism programs, projects or ac-
16 tivities of the Department of Justice to purchase or lease
17 equipment or any related items, or to acquire interim serv-
18 ices, without regard to any otherwise applicable Federal
19 acquisition rule, if the Attorney General determines that—

20 (A) there is an exigent need for the equipment,
21 related items, or services in order to support an on-
22 going counterterrorism, national security, or com-
23 puter-crime investigation or prosecution;

1 (B) the equipment, related items, or services re-
2 quired are not available within the Department of
3 Justice; and

4 (C) adherence to that Federal acquisition rule
5 would—

6 (i) delay the timely acquisition of the
7 equipment, related items, or services; and

8 (ii) adversely affect an ongoing
9 counterterrorism, national security, or com-
10 puter-crime investigation or prosecution.

11 (2) In this subsection, the term “Federal acquisition
12 rule” means any provision of title II or IX of the Federal
13 Property and Administrative Services Act of 1949, the Of-
14 fice of Federal Procurement Policy Act, the Small Busi-
15 ness Act, the Federal Acquisition Regulation, or any other
16 provision of law or regulation that establishes policies, pro-
17 cedures, requirements, conditions, or restrictions for pro-
18 curements by the head of a department or agency or the
19 Federal Government.

20 (b) The Attorney General shall immediately notify the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate in writing of each expenditure under
23 subsection (a), which notification shall include sufficient
24 information to explain the circumstances necessitating the
25 exercise of the authority under that subsection.

1 SEC. 115. Section 210501(b)(1)(A) of the Violent
2 Crime Control and Law Enforcement Act of 1994 (42
3 U.S.C. 14151(b)(1)(A)) is amended by inserting “and pro-
4 vide investigative assistance to tribal law enforcement
5 agencies” before the semicolon.

6 SEC. 116. (a) Section 110 of division C of Public Law
7 104–208 is repealed.

8 (b)(1) Paragraph (2) of section 104(b) of that Act
9 is amended to read as follows:

10 “(2) CLAUSE B.—Clause (B) of such sentence
11 shall apply as follows:

12 “(A) As of October 1, 2000, to not less
13 than 25 percent of the border crossing identi-
14 fication cards in circulation as of April 1, 1998.

15 “(B) As of October 1, 2001, to not less
16 than 50 percent of such cards in circulation as
17 of April 1, 1998.

18 “(C) As of October 1, 2002, to not less
19 than 75 percent of such cards in circulation as
20 of April 1, 1998.

21 “(D) As of October 1, 2003, to all such
22 cards in circulation as of April 1, 1998.”.

23 (2) Such section 104(b) is further amended by adding
24 at the end the following:

1 “(3) If the Secretary of State and the Attorney
2 General jointly determine that sufficient capacity ex-
3 ists to replace border crossing identification cards in
4 advance of any of the deadlines otherwise provided
5 for under paragraph (2), the Secretary and the At-
6 torney General may by regulation advance such
7 deadlines.”.

8 SEC. 117. (a) The President shall, with the submis-
9 sion of the President’s fiscal year 2000 budget request,
10 submit a Chapter in the Analytical Perspectives Volume
11 (referred to in this section as the “Chapter”) presenting
12 the specific dollar amounts budgeted, by appropriation ac-
13 count and by line item, for counterterrorism and
14 antiterrorism programs, projects, or activities.

15 (b) The Chapter shall provide a narrative outline of
16 the content of, and detail the amounts budgeted for, each
17 program, project, or activity for fiscal years 1998, 1999,
18 2000, and the succeeding 5 years of the Federal
19 Counterterrorism Strategy.

20 (c) If the President determines that certain portions
21 of the information contained in the Chapter are of a sen-
22 sitive, classified nature, then the President shall submit
23 to Congress a classified version of the Chapter along with
24 the unclassified version published in the Analytical Per-

1 spectives Volume of the President’s fiscal year 2000 budg-
2 et request.

3 SEC. 118. Section 402(a) of the Controlled Sub-
4 stances Act (21 U.S.C. 842(a)) is amended—

5 (1) in paragraph (5), by inserting “knowingly”
6 after “(5)”; and

7 (2) in paragraph (10), by inserting “knowingly”
8 after “(10)”.

9 SEC. 119. Section 402(c)(1) of the Controlled Sub-
10 stances Act (21 U.S.C. 842(c)(1)) is amended—

11 (1) by striking “Except as provided in para-
12 graph (2), any person who violates this section
13 shall” and inserting “(A) Subject to subparagraph
14 (B) of this paragraph and paragraph (2), any person
15 who violates this section may”; and

16 (2) by adding at the end the following:

17 “(B) In the case of a violation of para-
18 graph (5) or (10) of subsection (a) in which, a
19 result of the violation, no unauthorized person
20 obtains unlawful control of a controlled sub-
21 stance, the civil penalty shall be not more than
22 \$500.”.

23 SEC. 120. The General Accounting Office shall—

24 (1) monitor the compliance of the Department
25 of Justice and all United States Attorneys with the

1 “Guidance on the Use of the False Claims Act in
 2 Civil Health Care Matters” issued by the Depart-
 3 ment of Justice on June 3, 1998, including any revi-
 4 sions to that guidance; and

5 (2) not later than February 1, 1999, and again
 6 not later than August 2, 1999, submit a report on
 7 such compliance to the Committees on the Judiciary
 8 and the Committees on Appropriations of the Senate
 9 and the House of Representatives.

10 This title may be cited as the “Department of Justice
 11 Appropriations Act, 1999”.

12 TITLE II—DEPARTMENT OF COMMERCE AND
 13 RELATED AGENCIES

14 TRADE AND INFRASTRUCTURE DEVELOPMENT

15 RELATED AGENCIES

16 OFFICE OF THE UNITED STATES TRADE

17 REPRESENTATIVE

18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of the United
 20 States Trade Representative, including the hire of pas-
 21 senger motor vehicles and the employment of experts and
 22 consultants as authorized by 5 U.S.C. 3109, \$24,836,000,
 23 of which \$2,500,000 shall remain available until expended:
 24 *Provided*, That not to exceed \$98,000 shall be available
 25 for official reception and representation expenses.

1 INTERNATIONAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the International Trade
4 Commission, including hire of passenger motor vehicles,
5 and services as authorized by 5 U.S.C. 3109, and not to
6 exceed \$2,500 for official reception and representation ex-
7 penses, \$45,500,000 to remain available until expended.

8 DEPARTMENT OF COMMERCE

9 INTERNATIONAL TRADE ADMINISTRATION

10 OPERATIONS AND ADMINISTRATION

11 For necessary expenses for international trade activi-
12 ties of the Department of Commerce provided for by law,
13 and engaging in trade promotional activities abroad, in-
14 cluding expenses of grants and cooperative agreements for
15 the purpose of promoting exports of United States firms,
16 without regard to 44 U.S.C. 3702 and 3703; full medical
17 coverage for dependent members of immediate families of
18 employees stationed overseas and employees temporarily
19 posted overseas; travel and transportation of employees of
20 the United States and Foreign Commercial Service be-
21 tween two points abroad, without regard to 49 U.S.C.
22 1517; employment of Americans and aliens by contract for
23 services; rental of space abroad for periods not exceeding
24 ten years, and expenses of alteration, repair, or improve-
25 ment; purchase or construction of temporary demountable

1 exhibition structures for use abroad; payment of tort
2 claims, in the manner authorized in the first paragraph
3 of 28 U.S.C. 2672 when such claims arise in foreign coun-
4 tries; not to exceed \$327,000 for official representation
5 expenses abroad; purchase of passenger motor vehicles for
6 official use abroad, not to exceed \$30,000 per vehicle; ob-
7 tain insurance on official motor vehicles; and rent tie lines
8 and teletype equipment; \$310,167,000, to remain avail-
9 able until expended: *Provided*, That of the \$318,167,000
10 provided for in direct obligations (of which \$304,167,000
11 is appropriated from the General Fund, and \$8,000,000
12 is derived from unobligated balances and deobligations
13 from prior years and \$6,000,000 is from fees),
14 \$69,826,000 shall be for Trade Development,
15 \$20,379,000 shall be for Market Access and Compliance,
16 \$31,047,000 shall be for the Import Administration,
17 \$177,000,000 shall be for the United States and Foreign
18 Commercial Service, and \$11,915,000 shall be for Execu-
19 tive Direction and Administration: *Provided further*, That
20 the provisions of the first sentence of section 105(f) and
21 all of section 108(c) of the Mutual Educational and Cul-
22 tural Exchange Act of 1961 (22 U.S.C. 2455(f) and
23 2458(c)) shall apply in carrying out these activities with-
24 out regard to section 5412 of the Omnibus Trade and
25 Competitiveness Act of 1988 (15 U.S.C. 4912); and that

1 for the purpose of this Act, contributions under the provi-
2 sions of the Mutual Educational and Cultural Exchange
3 Act shall include payment for assessments for services pro-
4 vided as part of these activities.

5 EXPORT ADMINISTRATION

6 OPERATIONS AND ADMINISTRATION

7 For necessary expenses for export administration and
8 national security activities of the Department of Com-
9 merce, including costs associated with the performance of
10 export administration field activities both domestically and
11 abroad; full medical coverage for dependent members of
12 immediate families of employees stationed overseas; em-
13 ployment of Americans and aliens by contract for services
14 abroad; rental of space abroad for periods not exceeding
15 ten years, and expenses of alteration, repair, or improve-
16 ment; payment of tort claims, in the manner authorized
17 in the first paragraph of 28 U.S.C. 2672 when such claims
18 arise in foreign countries; not to exceed \$15,000 for offi-
19 cial representation expenses abroad; awards of compensa-
20 tion to informers under the Export Administration Act of
21 1979, and as authorized by 22 U.S.C. 401(b); purchase
22 of passenger motor vehicles for official use and motor vehi-
23 cles for law enforcement use with special requirement vehi-
24 cles eligible for purchase without regard to any price limi-
25 tation otherwise established by law; \$45,671,000 to re-

1 main available until expended, of which \$1,877,000 shall
 2 be for inspections and other activities related to national
 3 security: *Provided*, That the provisions of the first sen-
 4 tence of section 105(f) and all of section 108(c) of the
 5 Mutual Educational and Cultural Exchange Act of 1961
 6 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying
 7 out these activities: *Provided further*, That payments and
 8 contributions collected and accepted for materials or serv-
 9 ices provided as part of such activities may be retained
 10 for use in covering the cost of such activities, and for pro-
 11 viding information to the public with respect to the export
 12 administration and national security activities of the De-
 13 partment of Commerce and other export control programs
 14 of the United States and other governments.

15 ECONOMIC DEVELOPMENT ADMINISTRATION

16 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

17 For grants for economic development assistance as
 18 provided by the Public Works and Economic Development
 19 Act of 1965, as amended, Public Law 91–304, and such
 20 laws that were in effect immediately before September 30,
 21 1982, and for trade adjustment assistance, \$280,775,000:
 22 *Provided*, That none of the funds appropriated or other-
 23 wise made available under this heading may be used di-
 24 rectly or indirectly for attorneys’ or consultants’ fees in
 25 connection with securing grants and contracts made by

1 the Economic Development Administration: *Provided fur-*
2 *ther*, That, notwithstanding any other provision of law, the
3 Secretary of Commerce may provide financial assistance
4 for projects to be located on military installations closed
5 or scheduled for closure or realignment to grantees eligible
6 for assistance under the Public Works and Economic De-
7 velopment Act of 1965, as amended, without it being re-
8 quired that the grantee have title or ability to obtain a
9 lease for the property, for the useful life of the project,
10 when in the opinion of the Secretary of Commerce, such
11 financial assistance is necessary for the economic develop-
12 ment of the area: *Provided further*, That the Secretary of
13 Commerce may, as the Secretary considers appropriate,
14 consult with the Secretary of Defense regarding the title
15 to land on military installations closed or scheduled for
16 closure or realignment.

17 SALARIES AND EXPENSES

18 For necessary expenses of administering the eco-
19 nomic development assistance programs as provided for by
20 law, \$22,465,000: *Provided*, That these funds may be used
21 to monitor projects approved pursuant to title I of the
22 Public Works Employment Act of 1976, as amended, title
23 II of the Trade Act of 1974, as amended, and the Commu-
24 nity Emergency Drought Relief Act of 1977.

1 MINORITY BUSINESS DEVELOPMENT AGENCY

2 MINORITY BUSINESS DEVELOPMENT

3 For necessary expenses of the Department of Com-
4 merce in fostering, promoting, and developing minority
5 business enterprise, including expenses of grants, con-
6 tracts, and other agreements with public or private organi-
7 zations, \$25,276,000.

8 ECONOMIC AND INFORMATION INFRASTRUCTURE

9 ECONOMIC AND STATISTICAL ANALYSIS

10 SALARIES AND EXPENSES

11 For necessary expenses, as authorized by law, of eco-
12 nomic and statistical analysis programs of the Department
13 of Commerce, \$49,169,000, to remain available until Sep-
14 tember 30, 1999.

15 ECONOMICS AND STATISTICS ADMINISTRATION

16 REVOLVING FUND

17 The Secretary of Commerce is authorized to dissemi-
18 nate economic and statistical data products as authorized
19 by sections 1, 2, and 4 of Public Law 91-412 (15 U.S.C.
20 1525-1527) and, notwithstanding section 5412 of the
21 Omnibus Trade and Competitiveness Act of 1988 (15
22 U.S.C. 4912), charge fees necessary to recover the full
23 costs incurred in their production. Notwithstanding 31
24 U.S.C. 3302, receipts received from these data dissemina-
25 tion activities shall be credited to this account, to be avail-

1 able for carrying out these purposes without further ap-
 2 propriation.

3 BUREAU OF THE CENSUS

4 SALARIES AND EXPENSES

5 For expenses necessary for collecting, compiling, ana-
 6 lyzing, preparing, and publishing statistics, provided for
 7 by law, \$141,801,000.

8 PERIODIC CENSUSES AND PROGRAMS

9 For expenses necessary to conduct the decennial cen-
 10 sus, \$848,503,000, to remain available until expended:
 11 *Provided*, That the Department of Commerce shall submit
 12 a quarterly report to the Appropriations Committees of
 13 both Houses on the status and implementation of key de-
 14 cennial census milestones during fiscal year 1999.

15 In addition, for expenses to collect and publish statis-
 16 tics for other periodic censuses and programs provided for
 17 by law, \$153,955,000, to remain available until expended.

18 NATIONAL TELECOMMUNICATIONS AND INFORMATION

19 ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses, as provided for by law, of
 22 the National Telecommunications and Information Ad-
 23 ministration (NTIA), \$10,940,000, to remain available
 24 until expended: *Provided*, That notwithstanding 31 U.S.C.
 25 1535(d), the Secretary of Commerce shall charge Federal
 26 agencies for costs incurred in spectrum management,

1 analysis, and operations, and related services and such
 2 fees shall be retained and used as offsetting collections for
 3 costs of such spectrum services, to remain available until
 4 expended: *Provided further*, That hereafter, notwithstand-
 5 ing any other provision of law, NTIA shall not authorize
 6 spectrum use or provide any spectrum functions pursuant
 7 to the NTIA Organization Act, 47 U.S.C. §§ 902–903,
 8 to any Federal entity without reimbursement as required
 9 by NTIA for such spectrum management costs, and Fed-
 10 eral entities withholding payment of such cost shall not
 11 use spectrum: *Provided further*, That the Secretary of
 12 Commerce is authorized to retain and use as offsetting
 13 collections all funds transferred, or previously transferred,
 14 from other Government agencies for all costs incurred in
 15 telecommunications research, engineering, and related ac-
 16 tivities by the Institute for Telecommunication Sciences
 17 of the NTIA, in furtherance of its assigned functions
 18 under this paragraph, and such funds received from other
 19 Government agencies shall remain available until ex-
 20 pended.

21 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
 22 AND CONSTRUCTION

23 For grants authorized by section 392 of the Commu-
 24 nications Act of 1934, as amended, \$20,900,000, to re-
 25 main available until expended as authorized by section 391
 26 of the Act, as amended: *Provided*, That not to exceed

1 \$1,500,000 shall be available for program administration
 2 as authorized by section 391 of the Act: *Provided further*,
 3 That notwithstanding the provisions of section 391 of the
 4 Act, the prior year unobligated balances may be made
 5 available for grants for projects for which applications
 6 have been submitted and approved during any fiscal year.

7 INFORMATION INFRASTRUCTURE GRANTS

8 For grants authorized by section 392 of the Commu-
 9 nications Act of 1934, as amended, \$11,000,000, to re-
 10 main available until expended as authorized by section 391
 11 of the Act, as amended: *Provided*, That not to exceed
 12 \$3,000,000 shall be available for program administration
 13 and other support activities as authorized by section 391:
 14 *Provided further*, That none of the funds appropriated
 15 under this heading shall be used to make a grant to an
 16 applicant that is an entity that is eligible to receive pref-
 17 erential rates or treatment under section 254(h) of the
 18 Communications Act of 1934 (47 U.S.C. 254(h)) or as-
 19 sistance under the regional information sharing systems
 20 grant program of the Department of Justice under part
 21 M of title I of the Omnibus Crime Control and Safe
 22 Streets Act of 1968 (42 U.S.C. 3796h).

23 PATENT AND TRADEMARK OFFICE

24 SALARIES AND EXPENSES

25 For necessary expenses of the Patent and Trademark
 26 Office provided for by law, including defense of suits insti-

1 tuted against the Commissioner of Patents and Trade-
2 marks, \$785,526,000, to remain available until expended:
3 *Provided*, That of this amount, \$785,526,000 shall be de-
4 rived from offsetting collections assessed and collected
5 pursuant to 15 U.S.C. 113 and 35 U.S.C. 41 and 376
6 and shall be retained and used for necessary expenses in
7 this appropriation: *Provided further*, That the sum herein
8 appropriated from the General Fund shall be reduced as
9 such offsetting collections are received during fiscal year
10 1999, so as to result in a final fiscal year 1999 appropria-
11 tion from the General Fund estimated at \$0: *Provided fur-*
12 *ther*, That beginning on October 1, 1998, the Commis-
13 sioner of Patents and Trademarks shall establish a sur-
14 charge on all fees charged under 35 U.S.C. 41(a) and (b)
15 in order to ensure that \$132,000,000 is collected: *Provided*
16 *further*, That surcharges established under this authority
17 may take effect on October 1, 1998, and that Section 553
18 of title 5, United States Code, shall not apply to the estab-
19 lishment of such surcharges: *Provided further*, That upon
20 enactment of a statute reauthorizing the Patent and
21 Trademark Office or establishing a successor agency or
22 agencies, and upon the subsequent establishment of a new
23 patent fee schedule, the surcharge established in this Act
24 shall expire: *Provided further*, That during fiscal year
25 1999, should the total amount of offsetting collections be

1 less than \$785,526,000, the total amounts available to the
 2 Patent and Trademark Office shall be reduced accord-
 3 ingly: *Provided further*, That if the standard build-out
 4 costs of the Patent and Trademark Office exceed \$36.69
 5 per occupiable square feet in year 2000 dollars (the
 6 amount specified in the General Services Administration
 7 Advanced Acquisition program), including any above
 8 standard costs, and if the moving costs (which shall in-
 9 clude the costs of moving, furniture, telephone, and data
 10 installation) shall exceed \$135,000,000, the Secretary,
 11 acting through the Commissioner of Patents and Trade-
 12 marks, or the head of any successor organization, shall
 13 notify the Committee on Appropriations and seek approval
 14 for any additional costs through the requirements of sec-
 15 tion 605 of this Act in order to provide for the activities
 16 covered by those costs.

17 SCIENCE AND TECHNOLOGY

18 TECHNOLOGY ADMINISTRATION

19 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

20 TECHNOLOGY POLICY

21 SALARIES AND EXPENSES

22 For necessary expenses for the Under Secretary for
 23 Technology/Office of Technology Policy, \$9,993,000, of
 24 which not to exceed \$1,600,000 shall remain available
 25 until September 30, 2000.

1 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
 2 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

3 For necessary expenses of the National Institute of
 4 Standards and Technology, \$290,636,000, to remain
 5 available until expended, of which not to exceed
 6 \$5,000,000 shall be used to fund a cooperative agreement
 7 with Montana State University for a research program on
 8 green buildings; and of which not to exceed \$1,625,000
 9 may be transferred to the “Working Capital Fund”: *Pro-*
 10 *vided*, That \$2,300,000 shall be used to expand the Mal-
 11 colm Baldrige National Quality Award program estab-
 12 lished under section 17 of the Stevenson-Wydler Tech-
 13 nology Innovation Act of 1980 (15 U.S.C. 3711a): *Pro-*
 14 *vided further*, That none of the funds appropriated or oth-
 15 erwise made available by this Act for the “Malcolm
 16 Baldrige National Quality Award” may be obligated or ex-
 17 pended unless such obligation or expenditure is expressly
 18 authorized by enactment of a subsequent Act.

19 INDUSTRIAL TECHNOLOGY SERVICES

20 For necessary expenses of the Manufacturing Exten-
 21 sion Partnership of the National Institute of Standards
 22 and Technology, \$106,800,000, to remain available until
 23 expended, of which not to exceed \$300,000 may be trans-
 24 ferred to the “Working Capital Fund”: *Provided*, That
 25 notwithstanding the time limitations imposed by 15
 26 U.S.C. 278k(c) (1) and (5) on the duration of Federal

1 financial assistance that may be awarded by the Secretary
2 of Commerce to Regional Centers for the transfer of Man-
3 ufacturing Technology (“Centers”), such Federal financial
4 assistance for a Center may continue beyond six years and
5 may be renewed for additional periods, not to exceed one
6 year, at a rate not to exceed one-third of the Center’s total
7 annual costs, subject before any such renewal to a positive
8 evaluation of the Center and to a finding by the Secretary
9 of Commerce that continuation of Federal funding to the
10 Center is in the best interest of the Regional Centers for
11 the transfer of Manufacturing Technology Program: *Pro-*
12 *vided further*, That the Center’s most recent performance
13 evaluation is positive, and the Center has submitted a re-
14 application which has successfully passed merit review.

15 In addition, for necessary expenses of the Advanced
16 Technology Program of the National Institute of Stand-
17 ards and Technology, \$192,500,000, to remain available
18 until expended, of which not to exceed \$38,700,000 shall
19 be available for the award of new grants, and of which
20 not to exceed \$500,000 may be transferred to the “Work-
21 ing Capital Fund”.

22 CONSTRUCTION OF RESEARCH FACILITIES

23 For construction of new research facilities, including
24 architectural and engineering design, and for renovation
25 of existing facilities, not otherwise provided for the Na-

1 tional Institute of Standards and Technology, as author-
 2 ized by 15 U.S.C. 278c–278e, \$56,714,000, to remain
 3 available until expended.

4 NATIONAL OCEANIC AND ATMOSPHERIC
 5 ADMINISTRATION

6 OPERATIONS, RESEARCH, AND FACILITIES

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of activities authorized by law
 9 for the National Oceanic and Atmospheric Administration,
 10 including maintenance, operation, and hire of aircraft;
 11 grants, contracts, or other payments to nonprofit organi-
 12 zations for the purposes of conducting activities pursuant
 13 to cooperative agreements; and relocation of facilities as
 14 authorized by 33 U.S.C. 883i; \$1,608,914,000, to remain
 15 available until expended: *Provided*, That fees and dona-
 16 tions received by the National Ocean Service for the man-
 17 agement of the national marine sanctuaries may be re-
 18 tained and used for the salaries and expenses associated
 19 with those activities, notwithstanding 31 U.S.C. 3302:
 20 *Provided further*, That in addition, \$63,073,000 shall be
 21 derived by transfer from the fund entitled “Promote and
 22 Develop Fishery Products and Research Pertaining to
 23 American Fisheries”: *Provided further*, That grants to
 24 States pursuant to sections 306 and 306A of the Coastal
 25 Zone Management Act of 1972, as amended, shall not ex-
 26 ceed \$2,000,000: *Provided further*, That unexpended bal-

1 ances in the accounts “Construction” and “Fleet Mod-
 2 ernization, Shipbuilding and Conversion” shall be trans-
 3 ferred to and merged with this account, to remain avail-
 4 able until expended for the purposes for which the funds
 5 were originally appropriated: *Provided further*, That
 6 \$587,922,000 shall be made available for the Procure-
 7 ment, acquisition and construction account in fiscal year
 8 1999: *Provided further*, That the Secretary of Commerce
 9 shall make funds available to implement the mitigation
 10 recommendations identified subsequent to the “1995 Sec-
 11 retary’s Report to Congress on Adequacy of NEXRAD
 12 Coverage and Degradation of Weather Services” for Erie,
 13 PA; Williston, ND; Caribou, ME; and Key West, FL, and
 14 shall ensure continuation of weather service coverage for
 15 these communities until mitigation activities are com-
 16 pleted: *Provided further*, That with respect to Erie, PA
 17 and Williston, ND, the Secretary shall integrate local
 18 radar data from such weather service offices into the ad-
 19 vanced weather interactive processing system (AWIPS).

20 PROCUREMENT, ACQUISITION AND CONSTRUCTION
 21 (INCLUDING TRANSFERS OF FUNDS)

22 For procurement, acquisition and construction of
 23 capital assets, including alteration and modification costs,
 24 of the National Oceanic and Atmospheric Administration,
 25 \$587,922,000, to remain available until expended: *Pro-*
 26 *vided*, That unexpended balances of amounts previously

1 made available in the “Operations, Research, and Facili-
 2 ties” account and the “Construction” account for activi-
 3 ties funded under this heading may be transferred to and
 4 merged with this account, to remain available until ex-
 5 pended for the purposes for which the funds were origi-
 6 nally appropriated.

7 COASTAL ZONE MANAGEMENT FUND

8 Of amounts collected pursuant to section 308 of the
 9 Coastal Zone Management Act of 1972 (16 U.S.C.
 10 1456a), not to exceed \$4,000,000, for purposes set forth
 11 in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of
 12 such Act.

13 FISHERMEN’S CONTINGENCY FUND

14 For carrying out the provisions of title IV of Public
 15 Law 95–372, not to exceed \$953,000, to be derived from
 16 receipts collected pursuant to that Act, to remain available
 17 until expended.

18 FOREIGN FISHING OBSERVER FUND

19 For expenses necessary to carry out the provisions
 20 of the Atlantic Tunas Convention Act of 1975, as amend-
 21 ed (Public Law 96–339), the Magnuson-Stevens Fishery
 22 Conservation and Management Act of 1976, as amended
 23 (Public Law 100–627), and the American Fisheries Pro-
 24 motion Act (Public Law 96–561), to be derived from the
 25 fees imposed under the foreign fishery observer program

1 authorized by these Acts, not to exceed \$189,000, to re-
 2 main available until expended.

3 FISHERIES FINANCE PROGRAM ACCOUNT

4 For the cost of direct loans, \$388,000, as authorized
 5 by the Merchant Marine Act of 1936, as amended: *Pro-*
 6 *vided*, That such costs, including the cost of modifying
 7 such loans, shall be as defined in section 502 of the Con-
 8 gressional Budget Act of 1974: *Provided further*, That
 9 none of the funds made available under this heading may
 10 be used for direct loans for any new fishing vessel that
 11 will increase the harvesting capacity in any United States
 12 fishery.

13 GENERAL ADMINISTRATION

14 SALARIES AND EXPENSES

15 For expenses necessary for the general administra-
 16 tion of the Department of Commerce provided for by law,
 17 including not to exceed \$3,000 for official entertainment,
 18 \$31,765,000.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
 21 General in carrying out the provisions of the Inspector
 22 General Act of 1978, as amended (5 U.S.C. App. 1–11
 23 as amended by Public Law 100–504), \$20,662,000.

24 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

25 SEC. 201. During the current fiscal year, applicable
 26 appropriations and funds made available to the Depart-

1 ment of Commerce by this Act shall be available for the
2 activities specified in the Act of October 26, 1949 (15
3 U.S.C. 1514), to the extent and in the manner prescribed
4 by the Act, and, notwithstanding 31 U.S.C. 3324, may
5 be used for advanced payments not otherwise authorized
6 only upon the certification of officials designated by the
7 Secretary of Commerce that such payments are in the
8 public interest.

9 SEC. 202. During the current fiscal year, appropria-
10 tions made available to the Department of Commerce by
11 this Act for salaries and expenses shall be available for
12 hire of passenger motor vehicles as authorized by 31
13 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
14 3109; and uniforms or allowances therefor, as authorized
15 by law (5 U.S.C. 5901–5902).

16 SEC. 203. None of the funds made available by this
17 Act may be used to support the hurricane reconnaissance
18 aircraft and activities that are under the control of the
19 United States Air Force or the United States Air Force
20 Reserve.

21 SEC. 204. None of the funds provided in this or any
22 previous Act, or hereinafter made available to the Depart-
23 ment of Commerce, shall be available to reimburse the Un-
24 employment Trust Fund or any other fund or account of
25 the Treasury to pay for any expenses paid before October

1 1, 1992, as authorized by section 8501 of title 5, United
2 States Code, for services performed after April 20, 1990,
3 by individuals appointed to temporary positions within the
4 Bureau of the Census for purposes relating to the 1990
5 decennial census of population.

6 SEC. 205. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the De-
8 partment of Commerce in this Act may be transferred be-
9 tween such appropriations, but no such appropriation shall
10 be increased by more than 10 percent by any such trans-
11 fers: *Provided*, That any transfer pursuant to this section
12 shall be treated as a reprogramming of funds under sec-
13 tion 605 of this Act and shall not be available for obliga-
14 tion or expenditure except in compliance with the proce-
15 dures set forth in that section.

16 SEC. 206. (a) Should legislation be enacted to dis-
17 mantle or reorganize the Department of Commerce, or any
18 portion thereof, the Secretary of Commerce, no later than
19 90 days thereafter, shall submit to the Committees on Ap-
20 propriations of the House and the Senate a plan for trans-
21 ferring funds provided in this Act to the appropriate suc-
22 cessor organizations: *Provided*, That the plan shall include
23 a proposal for transferring or rescinding funds appro-
24 priated herein for agencies or programs terminated under

1 such legislation: *Provided further*, That such plan shall be
2 transmitted in accordance with section 605 of this Act.

3 (b) The Secretary of Commerce or the appropriate
4 head of any successor organization(s) may use any avail-
5 able funds to carry out legislation dismantling or reor-
6 ganizing the Department of Commerce, or any portion
7 thereof, to cover the costs of actions relating to the abol-
8 ishment, reorganization, or transfer of functions and any
9 related personnel action, including voluntary separation
10 incentives if authorized by such legislation: *Provided*, That
11 the authority to transfer funds between appropriations ac-
12 counts that may be necessary to carry out this section is
13 provided in addition to authorities included under section
14 205 of this Act: *Provided further*, That use of funds to
15 carry out this section shall be treated as a reprogramming
16 of funds under section 605 of this Act and shall not be
17 available for obligation or expenditure except in compli-
18 ance with the procedures set forth in that section.

19 SEC. 207. Any costs incurred by a Department or
20 agency funded under this title resulting from personnel
21 actions taken in response to funding reductions included
22 in this title or from actions taken for the care and protec-
23 tion of loan collateral or grant property shall be absorbed
24 within the total budgetary resources available to such De-
25 partment or agency: *Provided*, That the authority to trans-

1 fer funds between appropriations accounts as may be nec-
 2 essary to carry out this section is provided in addition to
 3 authorities included elsewhere in this Act: *Provided fur-*
 4 *ther*, That use of funds to carry out this section shall be
 5 treated as a reprogramming of funds under section 605
 6 of this Act and shall not be available for obligation or ex-
 7 penditure except in compliance with the procedures set
 8 forth in that section.

9 SEC. 208. Section 401(e)(4)(B) of Public Law 105–
 10 83 is amended by striking “majority vote, with each mem-
 11 ber” and inserting in lieu thereof, “the majority vote of
 12 the board members under paragraphs (3)(A), (F), and
 13 (G), the board member representing academia under para-
 14 graph (3)(K), and one of the board members under para-
 15 graph (3)(L) [as identified by the Governor], with each
 16 such member.

17 This title may be cited as the “Department of Com-
 18 merce and Related Agencies Appropriations Act, 1999”.

19 TITLE III—THE JUDICIARY

20 SUPREME COURT OF THE UNITED STATES

21 SALARIES AND EXPENSES

22 For expenses necessary for the operation of the Su-
 23 preme Court, as required by law, excluding care of the
 24 building and grounds, including purchase or hire, driving,
 25 maintenance, and operation of an automobile for the Chief

1 Justice, not to exceed \$10,000 for the purpose of trans-
 2 porting Associate Justices, and hire of passenger motor
 3 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
 4 to exceed \$10,000 for official reception and representation
 5 expenses; and for miscellaneous expenses, to be expended
 6 as the Chief Justice may approve; \$31,059,000.

7 CARE OF THE BUILDING AND GROUNDS

8 For such expenditures as may be necessary to enable
 9 the Architect of the Capitol to carry out the duties im-
 10 posed upon him by the Act approved May 7, 1934 (40
 11 U.S.C. 13a–13b), \$5,871,000, to remain available until
 12 expended.

13 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
 14 CIRCUIT

15 SALARIES AND EXPENSES

16 For salaries of the chief judge, judges, and other offi-
 17 cers and employees, and for necessary expenses of the
 18 court, as authorized by law, \$15,631,000.

19 UNITED STATES COURT OF INTERNATIONAL TRADE

20 SALARIES AND EXPENSES

21 For salaries of the chief judge and eight judges, sala-
 22 ries of the officers and employees of the court, services
 23 as authorized by 5 U.S.C. 3109, and necessary expenses
 24 of the court, as authorized by law, \$11,483,000.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES
4 (INCLUDING TRANSFER OF FUNDS)

5 For the salaries of circuit and district judges (includ-
6 ing judges of the territorial courts of the United States),
7 justices and judges retired from office or from regular ac-
8 tive service, judges of the United States Court of Federal
9 Claims, bankruptcy judges, magistrate judges, and all
10 other officers and employees of the Federal Judiciary not
11 otherwise specifically provided for, and necessary expenses
12 of the courts, as authorized by law, \$2,808,516,000 (in-
13 cluding the purchase of firearms and ammunition); of
14 which not to exceed \$13,454,000 shall remain available
15 until expended for space alteration projects; and of which
16 not to exceed \$10,000,000 shall remain available until ex-
17 pended for furniture and furnishings related to new space
18 alteration and construction projects: *Provided*, That of the
19 amount made available under this heading, \$7,150,000
20 shall be available only for the State Justice Institute.

21 In addition, for expenses of the United States Court
22 of Federal Claims associated with processing cases under
23 the National Childhood Vaccine Injury Act of 1986, not
24 to exceed \$2,515,000, to be appropriated from the Vaccine
25 Injury Compensation Trust Fund.

DEFENDER SERVICES

1
2 For the operation of Federal Public Defender and
3 Community Defender organizations; the compensation and
4 reimbursement of expenses of attorneys appointed to rep-
5 resent persons under the Criminal Justice Act of 1964,
6 as amended; the compensation and reimbursement of ex-
7 penses of persons furnishing investigative, expert and
8 other services under the Criminal Justice Act (18 U.S.C.
9 3006A(e)); the compensation (in accordance with Criminal
10 Justice Act maximums) and reimbursement of expenses
11 of attorneys appointed to assist the court in criminal cases
12 where the defendant has waived representation by counsel;
13 the compensation and reimbursement of travel expenses
14 of guardians ad litem acting on behalf of financially eligi-
15 ble minor or incompetent offenders in connection with
16 transfers from the United States to foreign countries with
17 which the United States has a treaty for the execution
18 of penal sentences; and the compensation of attorneys ap-
19 pointed to represent jurors in civil actions for the protec-
20 tion of their employment, as authorized by 28 U.S.C.
21 1875(d); \$360,952,000, to remain available until ex-
22 pended as authorized by 18 U.S.C. 3006A(i).

FEES OF JURORS AND COMMISSIONERS

23
24 For fees and expenses of jurors as authorized by 28
25 U.S.C. 1871 and 1876; compensation of jury commis-
26 sioners as authorized by 28 U.S.C. 1863; and compensa-

1 tion of commissioners appointed in condemnation cases
2 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
3 cedure (28 U.S.C. Appendix Rule 71A(h)); \$68,721,000,
4 to remain available until expended: *Provided*, That the
5 compensation of land commissioners shall not exceed the
6 daily equivalent of the highest rate payable under section
7 5332 of title 5, United States Code.

8 COURT SECURITY

9 For necessary expenses, not otherwise provided for,
10 incident to the procurement, installation, and maintenance
11 of security equipment and protective services for the
12 United States Courts in courtrooms and adjacent areas,
13 including building ingress-egress control, inspection of
14 packages, directed security patrols, and other similar ac-
15 tivities as authorized by section 1010 of the Judicial Im-
16 provement and Access to Justice Act (Public Law 100–
17 702); \$176,873,000, of which not to exceed \$10,000,000
18 shall remain available until expended for security systems,
19 to be expended directly or transferred to the United States
20 Marshals Service which shall be responsible for admin-
21 istering elements of the Judicial Security Program consist-
22 ent with standards or guidelines agreed to by the Director
23 of the Administrative Office of the United States Courts
24 and the Attorney General.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$54,682,000, of which not to exceed \$7,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90-219, \$17,716,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2000, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,000 is authorized for official reception and representa-
19 tion expenses.

20 JUDICIAL RETIREMENT FUNDS

21 PAYMENT TO JUDICIARY TRUST FUNDS

22 For payment to the Judicial Officers' Retirement
23 Fund, as authorized by 28 U.S.C. 377(o), \$27,500,000;
24 to the Judicial Survivors' Annuities Fund, as authorized
25 by 28 U.S.C. 376(c), \$7,800,000; and to the United

1 States Court of Federal Claims Judges' Retirement Fund,
 2 as authorized by 28 U.S.C. 178(*l*), \$2,000,000.

3 UNITED STATES SENTENCING COMMISSION

4 SALARIES AND EXPENSES

5 For the salaries and expenses necessary to carry out
 6 the provisions of chapter 58 of title 28, United States
 7 Code, \$9,374,000, of which not to exceed \$1,000 is au-
 8 thorized for official reception and representation expenses.

9 GENERAL PROVISIONS—THE JUDICIARY

10 SEC. 301. Appropriations and authorizations made in
 11 this title which are available for salaries and expenses shall
 12 be available for services as authorized by 5 U.S.C. 3109.

13 SEC. 302. Not to exceed 10 percent of any appropria-
 14 tion made available for the current fiscal year for the Judi-
 15 ciary in this Act may be transferred between such appro-
 16 priations, but no such appropriation, except “Courts of
 17 Appeals, District Courts, and Other Judicial Services, De-
 18 fender Services” and “Courts of Appeals, District Courts,
 19 and Other Judicial Services, Fees of Jurors and Commis-
 20 sioners”, shall be increased by more than 20 percent by
 21 any such transfers: *Provided*, That any transfer pursuant
 22 to this section shall be treated as a reprogramming of
 23 funds under section 605 of this Act and shall not be avail-
 24 able for obligation or expenditure except in compliance
 25 with the procedures set forth in that section.

17 This title may be cited as “The Judiciary Appropria-
18 tions Act, 1999”.

22 ADMINISTRATION OF FOREIGN AFFAIRS
23 DIPLOMATIC AND CONSULAR PROGRAMS

S 2260 PCS

1 ing expenses authorized by the State Department Basic
 2 Authorities Act of 1956, as amended; representation to
 3 certain international organizations in which the United
 4 States participates pursuant to treaties, ratified pursuant
 5 to the advice and consent of the Senate, or specific Acts
 6 of Congress; acquisition by exchange or purchase of pas-
 7 senger motor vehicles as authorized by 31 U.S.C. 1343,
 8 40 U.S.C. 481(c), and 22 U.S.C. 2674; and for expenses
 9 of general administration; \$1,685,094,000: *Provided*, That
 10 of the amount made available under this heading, not to
 11 exceed \$4,000,000 may be transferred to, and merged
 12 with, funds in the “Emergencies in the Diplomatic and
 13 Consular Service” appropriations account, to be available
 14 only for emergency evacuations and terrorism rewards:
 15 *Provided further*, That of the amount made available
 16 under this heading, \$500,000 shall be available only for
 17 the National Law Center for Inter-American Free Trade:
 18 *Provided further*, That of the amount made available
 19 under this heading, \$13,000,000 shall be available only
 20 for the East-West Center: *Provided further*, That, here-
 21 after, notwithstanding section 140(a)(5), and the second
 22 sentence of section 140(a)(3), of the Foreign Relations
 23 Authorization Act, Fiscal Years 1994 and 1995 (Public
 24 Law 103–236), fees may be collected under the authority
 25 of section 140(a)(1) of that Act: *Provided further*, That

1 all fees collected under the preceding proviso shall be de-
2 posited as an offsetting collection to appropriations made
3 under this heading to recover costs as set forth under sec-
4 tion 140(a)(2) of that Act and shall remain available until
5 expended.

6 In addition, not to exceed \$700,000 in registration
7 fees collected pursuant to section 38 of the Arms Export
8 Control Act, as amended, may be used in accordance with
9 section 45 of the State Department Basic Authorities Act
10 of 1956 (22 U.S.C. 2717); in addition not to exceed
11 \$1,252,000 shall be derived from fees collected from other
12 executive agencies for lease or use of facilities located at
13 the International Center in accordance with section 4 of
14 the International Center Act (Public Law 90-553), as
15 amended, and in addition, as authorized by section 5 of
16 such Act \$490,000, to be derived from the reserve author-
17 ized by that section, to be used for the purposes set out
18 in that section; and in addition not to exceed \$15,000
19 which shall be derived from reimbursements, surcharges,
20 and fees for use of Blair House facilities in accordance
21 with section 46 of the State Department Basic Authorities
22 Act of 1956 (22 U.S.C. 2718(a)).

23 SALARIES AND EXPENSES

24 For expenses necessary for the general administra-
25 tion of the Department of State and the Foreign Service,
26 provided for by law, including expenses authorized by sec-

tion 9 of the Act of August 31, 1964, as amended (31 U.S.C. 3721), and the State Department Basic Authorities Act of 1956, as amended, \$349,474,000.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, \$118,340,000, to remain available until expended, as authorized in Public Law 103–236: *Provided*, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), \$27,495,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96–465), as it relates to post inspections.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), and for necessary expenses as authorized by section 4 of the State Department Basic Authority Act of 1956 (22 U.S.C. 2671), \$6,500,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214

1 of the State Department Basic Authorities Act of 1956
 2 (22 U.S.C. 4314) and 3 U.S.C. 208, \$7,900,000, to re-
 3 main available until September 30, 2000.

4 SECURITY AND MAINTENANCE OF UNITED STATES

5 MISSIONS

6 For necessary expenses for carrying out the Foreign
 7 Service Buildings Act of 1926, as amended (22 U.S.C.
 8 292–300), preserving, maintaining, repairing, and plan-
 9 ning for, buildings that are owned or directly leased by
 10 the Department of State, renovating, in addition to funds
 11 otherwise available, the Main State Building, and carrying
 12 out the Diplomatic Security Construction Program as au-
 13 thorized by title IV of the Omnibus Diplomatic Security
 14 and Antiterrorism Act of 1986 (22 U.S.C. 4851),
 15 \$550,832,000, to remain available until expended as au-
 16 thorized by section 24(c) of the State Department Basic
 17 Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*,
 18 That none of the funds appropriated in this paragraph
 19 shall be available for acquisition of furniture and furnish-
 20 ings and generators for other departments and agencies.

21 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

22 SERVICE

23 For expenses necessary to enable the Secretary of
 24 State to meet unforeseen emergencies arising in the Diplo-
 25 matic and Consular Service pursuant to the requirement
 26 of 31 U.S.C. 3526(e), \$3,500,000 to remain available until

1 expended as authorized by section 24(c) of the State De-
 2 partment Basic Authorities Act of 1956 (22 U.S.C.
 3 2696(c)), of which not to exceed \$1,000,000 may be trans-
 4 ferred to and merged with the Repatriation Loans Pro-
 5 gram Account, subject to the same terms and conditions.

6 REPATRIATION LOANS PROGRAM ACCOUNT

7 For the cost of direct loans, \$543,000, as authorized
 8 by section 4 of the State Department Basic Authorities
 9 Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs,
 10 including the cost of modifying such loans, shall be as de-
 11 fined in section 502 of the Congressional Budget Act of
 12 1974. In addition, for administrative expenses necessary
 13 to carry out the direct loan program, \$457,000 which may
 14 be transferred to and merged with the Salaries and Ex-
 15 penses account under Administration of Foreign Affairs.

16 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

17 For necessary expenses to carry out the Taiwan Rela-
 18 tions Act, Public Law 96–8, \$14,490,000.

19 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND

20 DISABILITY FUND

21 For payment to the Foreign Service Retirement and
 22 Disability Fund, as authorized by law, \$132,500,000.

23 INTERNATIONAL ORGANIZATIONS AND CONFERENCES

24 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

25 For expenses, not otherwise provided for, necessary
 26 to meet annual obligations of membership in international

1 multilateral organizations, pursuant to treaties ratified
2 pursuant to the advice and consent of the Senate, conven-
3 tions or specific Acts of Congress, \$1,131,718,000, of
4 which not to exceed \$254,000,000 shall remain available
5 until expended for payment of arrearages: *Provided*, That
6 none of the funds appropriated or otherwise made avail-
7 able by this Act for payment of arrearages may be obli-
8 gated or expended unless such obligation or expenditure
9 is expressly authorized by the enactment of an Act that
10 makes payment of arrearages contingent upon reforms
11 that include the following: a reduction in the United
12 States assessed share of the United Nations regular budg-
13 et to 20 percent and of peacekeeping operations to 25 per-
14 cent; reimbursement for goods and services provided by
15 the United States to the United Nations; certification that
16 the United Nations and its specialized or affiliated agen-
17 cies have not taken any action to infringe on the sov-
18 ereignty of the United States; a ceiling on United States
19 contributions to international organizations after fiscal
20 year 1999 of \$900,000,000; establishment of a merit-
21 based personnel system at the United Nations that in-
22 cludes a code of conduct and a personnel evaluation sys-
23 tem; United States membership on the Advisory Commit-
24 tee on Administrative and Budgetary Questions that over-
25 sees the United Nations budget; access to United Nations

For necessary expenses to pay assessed and other ex-
penses of international peacekeeping activities directed to
the maintenance or restoration of international peace and
security \$431,093,000, of which not to exceed
\$23,100,000 shall remain available until expended, and of

1 which not to exceed \$221,000,000 shall remain available
 2 until expended for payment of arrearages: *Provided*, That
 3 none of the funds appropriated or otherwise made avail-
 4 able by this Act for payment of arrearages may be obli-
 5 gated or expended unless such obligation or expenditure
 6 is expressly authorized by the enactment of an Act de-
 7 scribed in the first proviso under the heading “Contribu-
 8 tions to International Organizations” in this title.

9 INTERNATIONAL COMMISSIONS

10 For necessary expenses, not otherwise provided for,
 11 to meet obligations of the United States arising under
 12 treaties, or specific Acts of Congress, as follows:

13 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

14 UNITED STATES AND MEXICO

15 For necessary expenses for the United States Section
 16 of the International Boundary and Water Commission,
 17 United States and Mexico, and to comply with laws appli-
 18 cable to the United States Section, including not to exceed
 19 \$6,000 for representation; as follows:

20 SALARIES AND EXPENSES

21 For salaries and expenses, not otherwise provided for,
 22 \$17,490,000.

23 CONSTRUCTION

24 For detailed plan preparation and construction of au-
 25 thorized projects, \$6,463,000, to remain available until ex-
 26 pended, as authorized by section 24(c) of the State De-

1 partment Basic Authorities Act of 1956 (22 U.S.C.
2 2696(c)).

3 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

4 For necessary expenses, not otherwise provided for
5 the International Joint Commission and the International
6 Boundary Commission, United States and Canada, as au-
7 thorized by treaties between the United States and Can-
8 ada or Great Britain, and for the Border Environment
9 Cooperation Commission as authorized by Public Law
10 103–182; \$5,490,000, of which not to exceed \$9,000 shall
11 be available for representation expenses incurred by the
12 International Joint Commission.

13 INTERNATIONAL FISHERIES COMMISSIONS

14 For necessary expenses for international fisheries
15 commissions, not otherwise provided for, as authorized by
16 law, \$14,549,000: *Provided*, That the United States' share
17 of such expenses may be advanced to the respective com-
18 missions, pursuant to 31 U.S.C. 3324.

19 RELATED AGENCIES

20 ARMS CONTROL AND DISARMAMENT AGENCY

21 ARMS CONTROL AND DISARMAMENT ACTIVITIES

22 For necessary expenses not otherwise provided, for
23 arms control, nonproliferation, and disarmament activi-
24 ties, \$43,400,000, of which not to exceed \$50,000 shall
25 be for official reception and representation expenses as au-

1 thorized by the Act of September 26, 1961, as amended
2 (22 U.S.C. 2551 et seq.).

3 UNITED STATES INFORMATION AGENCY

4 INTERNATIONAL INFORMATION PROGRAMS

5 For expenses, not otherwise provided for, necessary
6 to enable the United States Information Agency, as au-
7 thorized by the Mutual Educational and Cultural Ex-
8 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
9 the United States Information and Educational Exchange
10 Act of 1948, as amended (22 U.S.C. 1431 et seq.), and
11 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
12 carry out international communication, educational and
13 cultural activities; and to carry out related activities au-
14 thorized by law, including employment, without regard to
15 civil service and classification laws, of persons on a tem-
16 porary basis (not to exceed \$700,000 of this appropria-
17 tion), as authorized by section 801 of such Act of 1948
18 (22 U.S.C. 1471), and entertainment, including official re-
19 ceptions, within the United States, not to exceed \$25,000
20 as authorized by section 804(3) of such Act of 1948 (22
21 U.S.C. 1474(3)); \$427,097,000: *Provided*, That not to ex-
22 ceed \$1,400,000 may be used for representation abroad
23 as authorized by section 302 of such Act of 1948 (22
24 U.S.C. 1452) and section 905 of the Foreign Service Act
25 of 1980 (22 U.S.C. 4085): *Provided further*, That not to

1 exceed \$6,000,000, to remain available until expended,
 2 may be credited to this appropriation from fees or other
 3 payments received from or in connection with English
 4 teaching, library, motion pictures, and publication pro-
 5 grams as authorized by section 810 of such Act of 1948
 6 (22 U.S.C. 1475e) and, notwithstanding any other law,
 7 fees from educational advising and counseling, and ex-
 8 change visitor program services: *Provided further*, That
 9 not to exceed \$920,000 to remain available until expended
 10 may be used to carry out projects involving security con-
 11 struction and related improvements for agency facilities
 12 not physically located together with Department of State
 13 facilities abroad.

14 TECHNOLOGY FUND

15 For expenses necessary to enable the United States
 16 Information Agency to provide for the procurement of in-
 17 formation technology improvements, as authorized by the
 18 United States Information and Educational Exchange Act
 19 of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual
 20 Educational and Cultural Exchange Act of 1961, as
 21 amended (22 U.S.C. 2451 et seq.), and Reorganization
 22 Plan No. 2 of 1977 (91 Stat. 1636), \$5,050,000, to re-
 23 main available until expended.

24 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

25 For expenses of educational and cultural exchange
 26 programs, as authorized by the Mutual Educational and

1 Cultural Exchange Act of 1961, as amended (22 U.S.C.
 2 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91
 3 Stat. 1636), \$205,024,000, to remain available until ex-
 4 pended as authorized by section 105 of such Act of 1961
 5 (22 U.S.C. 2455): *Provided*, That not to exceed \$800,000,
 6 to remain available until expended, may be credited to this
 7 appropriation from fees or other payments received from
 8 or in connection with English teaching and publication
 9 programs as authorized by section 810 of the United
 10 States Information and Educational Exchange Act of
 11 1948 (22 U.S.C. 1475e) and, notwithstanding any other
 12 provision of law, fees from educational advising and coun-
 13 seling.

14 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
 15 FUND

16 For necessary expenses of Eisenhower Exchange Fel-
 17 lowships, Incorporated, as authorized by sections 4 and
 18 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
 19 U.S.C. 5204–5205), all interest and earnings accruing to
 20 the Eisenhower Exchange Fellowship Program Trust
 21 Fund on or before September 30, 1999, to remain avail-
 22 able until expended: *Provided*, That none of the funds ap-
 23 propriated herein shall be used to pay any salary or other
 24 compensation, or to enter into any contract providing for
 25 the payment thereof, in excess of the rate authorized by
 26 5 U.S.C. 5376; or for purposes which are not in accord-

1 ance with OMB Circulars A-110 (Uniform Administrative
 2 Requirements) and A-122 (Cost Principles for Non-profit
 3 Organizations), including the restrictions on compensation
 4 for personal services.

5 ISRAELI ARAB SCHOLARSHIP PROGRAM

6 For necessary expenses of the Israeli Arab Scholar-
 7 ship Program as authorized by section 214 of the Foreign
 8 Relations Authorization Act, Fiscal Years 1992 and 1993
 9 (22 U.S.C. 2452), all interest and earnings accruing to
 10 the Israeli Arab Scholarship Fund on or before September
 11 30, 1999, to remain available until expended.

12 INTERNATIONAL BROADCASTING OPERATIONS

13 For expenses necessary to enable the United States
 14 Information Agency, as authorized by the United States
 15 Information and Educational Exchange Act of 1948, as
 16 amended, the United States International Broadcasting
 17 Act of 1994, as amended, and Reorganization Plan No.
 18 2 of 1977, to carry out international communication ac-
 19 tivities, \$332,915,000, of which not to exceed \$16,000
 20 may be used for official receptions within the United
 21 States as authorized by section 804(3) of such Act of 1948
 22 (22 U.S.C. 1747(3)), not to exceed \$35,000 may be used
 23 for representation abroad as authorized by section 302 of
 24 such Act of 1948 (22 U.S.C. 1452) and section 905 of
 25 the Foreign Service Act of 1980 (22 U.S.C. 4085), and
 26 not to exceed \$39,000 may be used for official reception

1 and representation expenses of Radio Free Europe/Radio
 2 Liberty; and in addition, notwithstanding any other provi-
 3 sion of law, not to exceed \$2,000,000 in receipts from ad-
 4 vertising and revenue from business ventures, not to ex-
 5 ceed \$500,000 in receipts from cooperating international
 6 organizations, and not to exceed \$1,000,000 in receipts
 7 from privatization efforts of the Voice of America and the
 8 International Broadcasting Bureau, to remain available
 9 until expended for carrying out authorized purposes.

10 BROADCASTING TO CUBA

11 For expenses necessary to enable the United States
 12 Information Agency to carry out the Radio Broadcasting
 13 to Cuba Act, as amended, the Television Broadcasting to
 14 Cuba Act, and the International Broadcasting Act of
 15 1994, including the purchase, rent, construction, and im-
 16 provement of facilities for radio and television trans-
 17 mission and reception, and purchase and installation of
 18 necessary equipment for radio and television transmission
 19 and reception, \$22,095,000, to remain available until ex-
 20 pended.

21 RADIO CONSTRUCTION

22 For the purchase, rent, construction, and improve-
 23 ment of facilities for radio transmission and reception, and
 24 purchase and installation of necessary equipment for radio
 25 and television transmission and reception as authorized by
 26 section 801 of the United States Information and Edu-

1 cational Exchange Act of 1948 (22 U.S.C. 1471),
2 \$13,245,000, to remain available until expended, as au-
3 thorized by section 704(a) of such Act of 1948 (22 U.S.C.
4 1477b(a)).

5 EAST-WEST CENTER

6 To enable the Director of the United States Informa-
7 tion Agency to provide for carrying out the provisions of
8 the Center for Cultural and Technical Interchange Be-
9 tween East and West Act of 1960 (22 U.S.C. 2054–2057),
10 by grant to the Center for Cultural and Technical Inter-
11 change Between East and West in the State of Hawaii,
12 \$12,000,000: *Provided*, That none of the funds appro-
13 priated herein shall be used to pay any salary, or enter
14 into any contract providing for the payment thereof, in
15 excess of the rate authorized by 5 U.S.C. 5376.

16 NORTH/SOUTH CENTER

17 To enable the Director of the United States Informa-
18 tion Agency to provide for carrying out the provisions of
19 the North/South Center Act of 1991 (22 U.S.C. 2075),
20 by grant to an educational institution in Florida known
21 as the North/South Center, \$3,000,000, to remain avail-
22 able until expended.

23 NATIONAL ENDOWMENT FOR DEMOCRACY

24 For grants made by the United States Information
25 Agency to the National Endowment for Democracy as au-

1 thorized by the National Endowment for Democracy Act,
2 \$30,500,000, to remain available until expended.

3 GENERAL PROVISIONS—DEPARTMENT OF STATE AND
4 RELATED AGENCIES

5 SEC. 401. Funds appropriated under this title shall
6 be available, except as otherwise provided, for allowances
7 and differentials as authorized by subchapter 59 of title
8 5, United States Code; for services as authorized by 5
9 U.S.C. 3109; and hire of passenger transportation pursu-
10 ant to 31 U.S.C. 1343(b).

11 SEC. 402. Not to exceed 10 percent of any appropria-
12 tion made available for the current fiscal year for the De-
13 partment of State in this Act may be transferred between
14 such appropriations, but no such appropriation, except as
15 otherwise specifically provided, shall be increased by more
16 than 20 percent by any such transfers: *Provided*, That not
17 to exceed 10 percent of any appropriation made available
18 for the current fiscal year for the United States Informa-
19 tion Agency in this Act may be transferred between such
20 appropriations, but no such appropriation, except as oth-
21 erwise specifically provided, shall be increased by more
22 than 20 percent by any such transfers: *Provided further*,
23 That any transfer pursuant to this section shall be treated
24 as a reprogramming of funds under section 605 of this
25 Act and shall not be available for obligation or expenditure

1 except in compliance with the procedures set forth in that
2 section.

3 SEC. 403. (a) Notwithstanding any other provision
4 of law, funds appropriated or otherwise made available by
5 this Act or any other Act during the period specified in
6 subsection (b) for arrearage payments to the United Na-
7 tions for peacekeeping operations shall be reduced by an
8 amount equal to 25 percent of the total expenditures of
9 the United States between October 30, 1997 and Feb-
10 ruary 23, 1998, as calculated by the Congressional Budget
11 Office, made in response to efforts by Iraq to block United
12 Nations-sanctioned inspections of Iraqi military and civil-
13 ian facilities with respect to weapons of mass destruction.

14 (b) The period specified in this subsection is the pe-
15 riod beginning October 1, 1997, and ending September 30,
16 2000.

17 SEC. 404. None of the funds made available in this
18 Act may be used by the Department of State or the United
19 States Information Agency to provide equipment, tech-
20 nical support, training, consulting services, or any other
21 form of assistance to the Palestinian Broadcasting Cor-
22 poration or similar organization.

23 SEC. 405. None of the funds appropriated or other-
24 wise made available by this Act or any other Act for fiscal

1 year 1999 or any fiscal year thereafter may be obligated
2 or expended to pay for any cost incurred for—

3 (1) opening or operating any United States dip-
4 lomatic or consular post in the Socialist Republic of
5 Vietnam that was not operating on July 11, 1995;

6 (2) expanding any United States diplomatic or
7 consular post in the Socialist Republic of Vietnam
8 that was operating on July 11, 1995; or

9 (3) increasing the total number of personnel as-
10 signed to United States diplomatic or consular posts
11 in the Socialist Republic of Vietnam above the levels
12 existing on July 11, 1995, unless the President cer-
13 tifies within 60 days of the beginning of each fiscal
14 year the following:

15 (A) Based upon a formal assessment of all
16 information available to the United States Gov-
17 ernment, including relevant information pro-
18 vided to the President by the United States in-
19 telligence community, the Government of the
20 Socialist Republic of Vietnam is being fully
21 forthcoming and fully cooperating in good faith
22 with the United States in the following:

23 (i) Resolving discrepancy cases of un-
24 accounted for American prisoners of war
25 last known to be alive in areas of Vietnam

1 and Laos controlled by North Vietnamese
2 communist forces during the Vietnam con-
3 flict, supporting joint field activities and
4 excavations, and resolving wartime and
5 postwar live sightings and hearsay reports
6 obtained by United States Government
7 agencies which pertain to possible or con-
8 firmed prisoners of war or missing in ac-
9 tion personnel in areas of Vietnam and
10 Laos controlled by North Vietnamese com-
11 munist forces during the Vietnam conflict.

12 (ii) Unilaterally recovering and repa-
13 triating American remains which came
14 under the control of North Vietnamese
15 communist forces in areas of Vietnam and
16 Laos during the Vietnam conflict.

17 (iii) Accelerating efforts to unilaterally
18 provide documents that can help lead to
19 fullest possible accounting of American
20 prisoners of war and missing in action per-
21 sonnel and providing full access to relevant
22 information contained in communist party
23 and other government archives of the Gov-
24 ernment of the Socialist Republic of Viet-
25 nam as referenced by the Assistant to the

1 President for National Security Affairs in
2 his letter to the Majority Leader of the
3 United States Senate dated April 10,
4 1997, and as referenced in the report to
5 the Majority Leader of the United States
6 Senate dated April 8, 1997 from the
7 Chairman and Vice Chairman of the Select
8 Committee on Intelligence of the United
9 States Senate.

10 (iv) Providing expanded assistance in
11 implementing trilateral investigations with
12 Laos concerning unaccounted for American
13 personnel.

14 (v) Resolving the concerns of the
15 United States Government with respect to
16 North Vietnamese reports collected and
17 translated by the Main Intelligence Direc-
18 torate of the Ministry of Defense of the
19 Soviet Union in 1971 and 1972 which ref-
20 erence a far higher number of American
21 prisoners of war being held in captivity
22 during the Vietnam conflict than those re-
23 patriated by North Vietnamese communist
24 forces in February and March of 1973.

1 (B) The remains, artifacts, eyewitness ac-
2 counts, archival material, and other evidence
3 associated with prisoners of war and missing in
4 action, including civilians, recovered from crash
5 sites, military actions, and other locations in
6 Southeast Asia are being thoroughly analyzed
7 by the appropriate laboratories with the intent
8 of providing surviving relatives with scientif-
9 ically defensible, legal determinations of death
10 or other accountability that are fully docu-
11 mented and available in unclassified and
12 unredacted form to immediate family members.

13 SEC. 406. During the current fiscal year and here-
14 after, the Secretary of State shall have discretionary au-
15 thority to pay tort claims in the manner authorized by
16 section 2672 of title 28, United States Code, when such
17 claims arise in foreign countries in connection with the
18 overseas operations of the Department of State.

19 This title may be cited as the “Department of State
20 and Related Agencies Appropriations Act, 1999”.

1 TITLE V—RELATED AGENCIES

2 DEPARTMENT OF TRANSPORTATION

3 MARITIME ADMINISTRATION

4 MARITIME SECURITY PROGRAM

5 For necessary expenses to maintain and preserve a
6 U.S.-flag merchant fleet to serve the national security
7 needs of the United States, \$97,650,000, to remain avail-
8 able until expended.

9 OPERATIONS AND TRAINING

10 For necessary expenses of operations and training ac-
11 tivities authorized by law, \$69,818,000: *Provided*, That re-
12 imbursements may be made to this appropriation from re-
13 ceipts to the “Federal Ship Financing Fund” for adminis-
14 trative expenses in support of that program in addition
15 to any amount heretofore appropriated.

16 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

17 ACCOUNT

18 For the cost of guaranteed loans, as authorized by
19 the Merchant Marine Act, 1936, \$10,000,000, to remain
20 available until expended: *Provided*, That such costs, in-
21 cluding the cost of modifying such loans, shall be as de-
22 fined in section 502 of the Congressional Budget Act of
23 1974, as amended: *Provided further*, That these funds are
24 available to subsidize total loan principal, any part of
25 which is to be guaranteed, not to exceed \$1,000,000,000.

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

3 Notwithstanding any other provision of this Act, the
4 Maritime Administration is authorized to furnish utilities
5 and services and make necessary repairs in connection
6 with any lease, contract, or occupancy involving Govern-
7 ment property under control of the Maritime Administra-
8 tion, and payments received therefor shall be credited to
9 the appropriation charged with the cost thereof: *Provided*,
10 That rental payments under any such lease, contract, or
11 occupancy for items other than such utilities, services, or
12 repairs shall be covered into the Treasury as miscellaneous
13 receipts.

14 No obligations shall be incurred during the current
15 fiscal year from the construction fund established by the
16 Merchant Marine Act, 1936, or otherwise, in excess of the
17 appropriations and limitations contained in this Act or in
18 any prior appropriation Act, and all receipts which other-
19 wise would be deposited to the credit of said fund shall
20 be covered into the Treasury as miscellaneous receipts.

1 COMMISSION FOR THE PRESERVATION OF AMERICA'S
2 HERITAGE ABROAD
3 SALARIES AND EXPENSES

4 For expenses for the Commission for the Preservation
5 of America's Heritage Abroad, \$250,000, as authorized by
6 Public Law 99-83, section 1303.

7 COMMISSION ON CIVIL RIGHTS
8 SALARIES AND EXPENSES

9 For necessary expenses of the Commission on Civil
10 Rights, including hire of passenger motor vehicles,
11 \$8,900,000: *Provided*, That not to exceed \$50,000 may
12 be used to employ consultants: *Provided further*, That
13 none of the funds appropriated in this paragraph shall be
14 used to employ in excess of four full-time individuals under
15 Schedule C of the Excepted Service exclusive of one special
16 assistant for each Commissioner: *Provided further*, That
17 none of the funds appropriated in this paragraph shall be
18 used to reimburse Commissioners for more than 75
19 billable days, with the exception of the Chairperson who
20 is permitted 125 billable days.

21 COMMISSION ON SECURITY AND COOPERATION IN
22 EUROPE
23 SALARIES AND EXPENSES

24 For necessary expenses of the Commission on Secu-
25 rity and Cooperation in Europe, as authorized by Public

1 Law 94–304, \$1,159,000, to remain available until ex-
2 pended as authorized by section 3 of Public Law 99–7.

3 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Equal Employment
6 Opportunity Commission as authorized by title VII of the
7 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
8 and 621–634), the Americans with Disabilities Act of
9 1990, and the Civil Rights Act of 1991, including services
10 as authorized by 5 U.S.C. 3109; hire of passenger motor
11 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
12 tary awards to private citizens; and not to exceed
13 \$27,500,000 for payments to State and local enforcement
14 agencies for services to the Commission pursuant to title
15 VII of the Civil Rights Act of 1964, as amended, sections
16 6 and 14 of the Age Discrimination in Employment Act,
17 the Americans with Disabilities Act of 1990, and the Civil
18 Rights Act of 1991; \$253,580,000: *Provided*, That the
19 Commission is authorized to make available for official re-
20 ception and representation expenses not to exceed \$2,500
21 from available funds.

22 FEDERAL COMMUNICATIONS COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Federal Communica-
25 tions Commission, as authorized by law, including uni-

1 forms and allowances therefor, as authorized by 5 U.S.C.
2 5901–02; not to exceed \$600,000 for land and structure;
3 not to exceed \$500,000 for improvement and care of
4 grounds and repair to buildings; not to exceed \$4,000 for
5 official reception and representation expenses; purchase
6 (not to exceed 16) and hire of motor vehicles; special coun-
7 sel fees; and services as authorized by 5 U.S.C. 3109;
8 \$197,921,000, of which not to exceed \$300,000 shall re-
9 main available until September 30, 1999, for research and
10 policy studies: *Provided*, That \$172,523,000 of offsetting
11 collections shall be assessed and collected pursuant to sec-
12 tion 9 of title I of the Communications Act of 1934, as
13 amended, and shall be retained and used for necessary ex-
14 penses in this appropriation, and shall remain available
15 until expended: *Provided further*, That the sum herein ap-
16 propriated shall be reduced as such offsetting collections
17 are received during fiscal year 1999 so as to result in a
18 final fiscal year 1999 appropriation estimated at
19 \$25,398,000: *Provided further*, That any offsetting collec-
20 tions received in excess of \$172,523,000 in fiscal year
21 1999 shall remain available until expended, but shall not
22 be available for obligation until October 1, 1999.

1 FEDERAL MARITIME COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Maritime
4 Commission as authorized by section 201(d) of the Mer-
5 chant Marine Act of 1936, as amended (46 U.S.C. App.
6 1111, including services as authorized by 5 U.S.C. 3109;
7 hire of passenger motor vehicles as authorized by 31
8 U.S.C. 1343(b); and uniforms or allowances therefor, as
9 authorized by 5 U.S.C. 5901–02; \$14,300,000: *Provided*,
10 That not to exceed \$2,000 shall be available for official
11 reception and representation expenses.

12 FEDERAL TRADE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Federal Trade Com-
15 mission, including uniforms or allowances therefor, as au-
16 thorized by 5 U.S.C. 5901–5902; services as authorized
17 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
18 not to exceed \$2,000 for official reception and representa-
19 tion expenses; \$93,167,000: *Provided*, That not to exceed
20 \$300,000 shall be available for use to contract with a per-
21 son or persons for collection services in accordance with
22 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
23 *ther*, That notwithstanding any other provision of law, not
24 to exceed \$90,000,000 of offsetting collections derived
25 from fees collected for premerger notification filings under

1 the Hart-Scott-Rodino Antitrust Improvements Act of
 2 1976 (15 U.S.C. 18(a)) shall be retained and used for nec-
 3 essary expenses in this appropriation, and shall remain
 4 available until expended: *Provided further*, That the sum
 5 herein appropriated from the General Fund shall be re-
 6 duced as such offsetting collections are received during fis-
 7 cal year 1999, so as to result in a final fiscal year 1999
 8 appropriation from the General Fund estimated at not
 9 more than \$3,167,000: *Provided further*, That the fourth
 10 proviso under the heading “Federal Trade Commission,
 11 Salaries and Expenses” in Public Law 105–119 is re-
 12 pealed: *Provided further*, That none of the funds made
 13 available to the Federal Trade Commission shall be avail-
 14 able for obligation for expenses authorized by section 151
 15 of the Federal Deposit Insurance Corporation Improve-
 16 ment Act of 1991 (Public Law 102–242, 105 Stat. 2282–
 17 2285).

18 LEGAL SERVICES CORPORATION

19 PAYMENT TO THE LEGAL SERVICES CORPORATION

20 For payment to the Legal Services Corporation to
 21 carry out the purposes of the Legal Services Corporation
 22 Act of 1974, as amended, \$300,000,000, of which
 23 \$288,700,000 is for basic field programs and required
 24 independent audits; \$300,000 is for grants for litigation
 25 associated with *Aguilar v. United States*; \$2,015,000 is

1 for the Office of Inspector General, of which such amounts
 2 as may be necessary may be used to conduct additional
 3 audits of recipients; and \$8,985,000 is for management
 4 and administration.

5 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES
 6 CORPORATION

7 SEC. 501. (a) CONTINUATION OF COMPETITIVE SE-
 8 LECTION PROCESS.—None of the funds appropriated in
 9 this Act to the Legal Services Corporation may be used
 10 to provide financial assistance to any person or entity ex-
 11 cept through a competitive selection process conducted in
 12 accordance with regulations promulgated by the Corpora-
 13 tion in accordance with the criteria set forth in subsections
 14 (c), (d), and (e) of section 503 of Public Law 104–134
 15 (110 Stat. 1321–52 et seq.).

16 (b) INAPPLICABILITY OF CERTAIN PROCEDURES.—
 17 Sections 1007(a)(9) and 1011 of the Legal Services Cor-
 18 poration Act (42 U.S.C. 2996f(a)(9) and 2996j) shall not
 19 apply to the provision, denial, suspension, or termination
 20 of any financial assistance using funds appropriated in
 21 this Act.

22 (c) ADDITIONAL PROCEDURES.—If, during any term
 23 of a grant or contract awarded to a recipient by the Legal
 24 Services Corporation under the competitive selection proc-
 25 ess referred to in subsection (a) and applicable Corpora-
 26 tion regulations, the Corporation finds, after notice and

1 opportunity for the recipient to be heard, that the recipi-
2 ent has failed to comply with any requirement of the Legal
3 Services Corporation Act (42 U.S.C. 2996 et seq.), this
4 Act, or any other applicable law relating to funding for
5 the Corporation, the Corporation may terminate the grant
6 or contract and institute a new competitive selection proc-
7 ess for the area served by the recipient, notwithstanding
8 the terms of the recipient's grant or contract.

9 SEC. 502. (a) CONTINUATION OF REQUIREMENTS
10 AND RESTRICTIONS.—None of the funds appropriated in
11 this Act to the Legal Services Corporation shall be ex-
12 pended for any purpose prohibited or limited by, or con-
13 trary to any of the provisions of—

14 (1) sections 501, 502, 505, 506, and 507 of
15 Public Law 104–134 (110 Stat. 1321–51 et seq.),
16 and all funds appropriated in this Act to the Legal
17 Services Corporation shall be subject to the same
18 terms and conditions as set forth in such sections,
19 except that all references in such sections to 1995
20 and 1996 shall be deemed to refer instead to 1998
21 and 1999, respectively; and

22 (2) section 504 of Public Law 104–134 (110
23 Stat. 1321–53 et seq.), and all funds appropriated
24 in this Act to the Legal Services Corporation shall

1 be subject to the same terms and conditions set
2 forth in such section, except that—

3 (A) subsection (c) of such section 504 shall
4 not apply;

5 (B) paragraph (3) of section 508(b) of
6 Public Law 104–134 (110 Stat. 1321–58) shall
7 apply with respect to the requirements of sub-
8 section (a)(13) of such section 504, except that
9 all references in such section 508(b) to the date
10 of enactment shall be deemed to refer to April
11 26, 1996; and

12 (C) subsection (a)(11) of such section 504
13 shall not be construed to prohibit a recipient
14 from using funds derived from a source other
15 than the Corporation to provide related legal
16 assistance to—

17 (i) an alien who has been battered or
18 subjected to extreme cruelty in the United
19 States by a spouse or a parent, or by a
20 member of the spouse’s or parent’s family
21 residing in the same household as the alien
22 and the spouse or parent consented or ac-
23 quiesced to such battery or cruelty; or

24 (ii) an alien whose child has been bat-
25 tered or subjected to extreme cruelty in the

1 United States by a spouse or parent of the
2 alien (without the active participation of
3 the alien in the battery or extreme cru-
4 elty), or by a member of the spouse's or
5 parent's family residing in the same house-
6 hold as the alien and the spouse or parent
7 consented or acquiesced to such battery or
8 cruelty, and the alien did not actively par-
9 ticipate in such battery or cruelty.

10 (b) DEFINITIONS.—For purposes of subsection
11 (a)(2)(C):

12 (1) The term “battered or subjected to extreme
13 cruelty” has the meaning given such term under reg-
14 ulations issued pursuant to subtitle G of the Vio-
15 lence Against Women Act of 1994 (Public Law 103–
16 322; 108 Stat. 1953).

17 (2) The term “related legal assistance” means
18 legal assistance directly related to the prevention of,
19 or obtaining of relief from, the battery or cruelty de-
20 scribed in such subsection.

21 SEC. 503. (a) CONTINUATION OF AUDIT REQUIRE-
22 MENTS.—The requirements of section 509 of Public Law
23 104–134 (110 Stat. 1321–58 et seq.), other than sub-
24 section (l) of such section, shall apply during the current
25 fiscal year.

1 (b) REQUIREMENT OF ANNUAL AUDIT.—An annual
 2 audit of each person or entity receiving financial assist-
 3 ance from the Legal Services Corporation under this Act
 4 shall be conducted during the current fiscal year in accord-
 5 ance with the requirements referred to in subsection (a).

6 SEC. 504. (a) DEBARMENT.—The Legal Services
 7 Corporation may debar a recipient, on a showing of good
 8 cause, from receiving an additional award of financial as-
 9 sistance from the Corporation. Any such action to debar
 10 a recipient shall be instituted after the Corporation pro-
 11 vides notice and an opportunity for a hearing to the recipi-
 12 ent.

13 (b) REGULATIONS.—The Legal Services Corporation
 14 shall promulgate regulations to implement this section.

15 (c) GOOD CAUSE.—In this section, the term “good
 16 cause”, used with respect to debarment, includes—

17 (1) prior termination of the financial assistance
 18 of the recipient, under part 1640 of title 45, Code
 19 of Federal Regulations (or any similar corresponding
 20 regulation or ruling);

21 (2) prior termination in whole, under part 1606
 22 of title 45, Code of Federal Regulations (or any
 23 similar corresponding regulation or ruling), of the
 24 most recent financial assistance received by the re-
 25 cipient, prior to date of the debarment decision;

1 (3) substantial violation by the recipient of the
2 statutory or regulatory restrictions that prohibit re-
3 cipients from using financial assistance made avail-
4 able by the Legal Services Corporation or other fi-
5 nancial assistance for purposes prohibited under the
6 Legal Services Corporation Act (42 U.S.C. 2996 et
7 seq.) or for involvement in any activity prohibited
8 by, or inconsistent with, section 504 of Public Law
9 104–134 (110 Stat. 1321–53 et seq.), section
10 502(a)(2) of Public Law 104–208 (110 Stat. 3009–
11 59 et seq.), or section 502(a)(2) of this Act;

12 (4) knowing entry by the recipient into a
13 subgrant, subcontract, or other agreement with an
14 entity that had been debarred by the Corporation; or

15 (5) the filing of a lawsuit by the recipient, on
16 behalf of the recipient, as part of any program re-
17 ceiving any Federal funds, naming the Corporation,
18 or any agency or employee of a Federal, State, or
19 local government, as a defendant.

20 MARINE MAMMAL COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Marine Mammal Com-
23 mission as authorized by title II of Public Law 92–522,
24 as amended, \$1,240,000.

1 COMMISSION ON OCEAN POLICY

2 SALARIES AND EXPENSES

3 For the necessary expenses of the Commission on
4 Ocean Policy, pursuant to S. 1213 as passed by the Sen-
5 ate in November 1996, \$3,500,000, to remain available
6 until expended: *Provided*, That the Commission shall
7 present to the Congress with 18 months its recommenda-
8 tions for a national ocean policy.

9 SECURITIES AND EXCHANGE COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses for the Securities and Ex-
12 change Commission, including services as authorized by
13 5 U.S.C. 3109, the rental of space (to include multiple
14 year leases) in the District of Columbia and elsewhere, and
15 not to exceed \$3,000 for official reception and representa-
16 tion expenses, \$341,098,000, of which not to exceed
17 \$10,000 may be used toward funding a permanent sec-
18 retariat for the International Organization of Securities
19 Commissions, and of which not to exceed \$100,000 shall
20 be available for expenses for consultations and meetings
21 hosted by the Commission with foreign governmental and
22 other regulatory officials, members of their delegations,
23 appropriate representatives and staff to exchange views
24 concerning developments relating to securities matters, de-
25 velopment and implementation of cooperation agreements

1 concerning securities matters and provision of technical
2 assistance for the development of foreign securities mar-
3 kets, such expenses to include necessary logistic and ad-
4 ministrative expenses and the expenses of Commission
5 staff and foreign invitees in attendance at such consulta-
6 tions and meetings including: (1) such incidental expenses
7 as meals taken in the course of such attendance, (2) any
8 travel and transportation to or from such meetings, and
9 (3) any other related lodging or subsistence: *Provided*,
10 That fees and charges authorized by sections 6(b)(4) of
11 the Securities Act of 1933 (15 U.S.C. 77f(b)(4)) and
12 31(d) of the Securities Exchange Act of 1934 (15 U.S.C.
13 78ee(d)) and collected in fiscal year 1999 shall be credited
14 to this account as offsetting collections: *Provided further*,
15 That not to exceed \$341,098,000 of such offsetting collec-
16 tions shall be available until expended for necessary ex-
17 penses of this account: *Provided further*, That the total
18 amount appropriated from the General Fund for fiscal
19 year 1999 under this heading shall be reduced as all such
20 offsetting fees are deposited to this appropriation so as
21 to result in no fiscal year 1999 appropriation from the
22 General Fund.

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,
4 of the Small Business Administration as authorized by
5 Public Law 103–403, including hire of passenger motor
6 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
7 not to exceed \$3,500 for official reception and representa-
8 tion expenses, \$265,000,000: *Provided*, That the Adminis-
9 trator is authorized to charge fees to cover the cost of pub-
10 lications developed by the Small Business Administration,
11 and certain loan servicing activities: *Provided further*,
12 That, notwithstanding 31 U.S.C. 3302, revenues received
13 from all such activities shall be credited to this account,
14 to be available for carrying out these purposes without fur-
15 ther appropriations: *Provided further*, That \$85,000,000
16 shall be available to fund grants for performance in fiscal
17 year 1998 or fiscal year 1999 as authorized by section
18 21 of the Small Business Act, as amended.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, as amended (5 U.S.C. App. 1–11,
23 as amended by Public Law 100–504), \$10,500,000.

24 BUSINESS LOANS PROGRAM ACCOUNT

25 For the cost of direct loans, \$3,816,000, and the cost
26 of guaranteed loans, \$143,000,000, as authorized by 15

1 U.S.C. 631 note: *Provided*, That such costs, including the
 2 cost of modifying such loans, shall be as defined in section
 3 502 of the Congressional Budget Act of 1974: *Provided*
 4 *further*, That of the funds previously made available under
 5 Public Law 105–135, section 507(g), for the Delta Loan
 6 program, up to \$20,000,000 may be transferred to this
 7 appropriation and used for necessary expenses of the
 8 agency: *Provided further*, That during fiscal year 1999,
 9 commitments to guarantee loans under section 503 of the
 10 Small Business Investment Act of 1958, as amended, shall
 11 not exceed the amount of financings authorized under sec-
 12 tion 20(n)(2)(B) of the Small Business Act, as amended:
 13 *Provided further*, That during fiscal year 1999, commit-
 14 ments for general business loans authorized under section
 15 7(a) of the Small Business Act, as amended, shall not ex-
 16 ceed \$10,000,000,000 without prior notification of the
 17 Committees on Appropriations of the House of Represent-
 18 atives and Senate in accordance with section 605 of this
 19 Act.

20 In addition, for administrative expenses to carry out
 21 the direct and guaranteed loan programs, \$94,000,000,
 22 which may be transferred to and merged with the appro-
 23 priations for Salaries and Expenses.

24 DISASTER LOANS PROGRAM ACCOUNT

25 For administrative expenses to carry out the direct
 26 loan program, \$94,000,000, including not to exceed

1 \$500,000 for the Office of Inspector General of the Small
 2 Business Administration for audits and reviews of disaster
 3 loans and the disaster loan program, and said sums shall
 4 be transferred to and merged with appropriations for the
 5 Office of Inspector General.

6 SURETY BOND GUARANTEES REVOLVING FUND

7 For additional capital for the “Surety Bond Guarant-
 8 tees Revolving Fund”, authorized by the Small Business
 9 Investment Act, as amended, \$3,300,000, to remain avail-
 10 able without fiscal year limitation as authorized by 15
 11 U.S.C. 631 note.

12 ADMINISTRATIVE PROVISION—SMALL BUSINESS

13 ADMINISTRATION

14 Not to exceed 5 percent of any appropriation made
 15 available for the current fiscal year for the Small Business
 16 Administration in this Act may be transferred between
 17 such appropriations, but no such appropriation shall be
 18 increased by more than 10 percent by any such transfers:
 19 *Provided*, That any transfer pursuant to this paragraph
 20 shall be treated as a reprogramming of funds under sec-
 21 tion 605 of this Act and shall not be available for obliga-
 22 tion or expenditure except in compliance with the proce-
 23 dures set forth in that section.

1 STATE JUSTICE INSTITUTE

2 SALARIES AND EXPENSES

3 For necessary expenses of the State Justice Institute,
4 as authorized by the State Justice Institute Authorization
5 Act of 1992 (Public Law 102–572 (106 Stat. 4515–
6 4516)), \$6,850,000, to remain available until expended:
7 *Provided*, That not to exceed \$2,500 shall be available for
8 official reception and representation expenses.

9 TITLE VI—GENERAL PROVISIONS

10 SEC. 601. No part of any appropriation contained in
11 this Act shall be used for publicity or propaganda purposes
12 not authorized by the Congress.

13 SEC. 602. No part of any appropriation contained in
14 this Act shall remain available for obligation beyond the
15 current fiscal year unless expressly so provided herein.

16 SEC. 603. The expenditure of any appropriation
17 under this Act for any consulting service through procure-
18 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
19 to those contracts where such expenditures are a matter
20 of public record and available for public inspection, except
21 where otherwise provided under existing law, or under ex-
22 isting Executive order issued pursuant to existing law.

23 SEC. 604. If any provision of this Act or the applica-
24 tion of such provision to any person or circumstances shall
25 be held invalid, the remainder of the Act and the applica-

1 tion of each provision to persons or circumstances other
2 than those as to which it is held invalid shall not be af-
3 fected thereby.

4 SEC. 605. (a) None of the funds provided under this
5 Act, or provided under previous appropriations Acts to the
6 agencies funded by this Act that remain available for obli-
7 gation or expenditure in fiscal year 1999, or provided from
8 any accounts in the Treasury of the United States derived
9 by the collection of fees available to the agencies funded
10 by this Act, shall be available for obligation or expenditure
11 through a reprogramming of funds which: (1) creates new
12 programs; (2) eliminates a program, project, or activity;
13 (3) increases funds or personnel by any means for any
14 project or activity for which funds have been denied or
15 restricted; (4) relocates an office or employees; (5) reorga-
16 nizes offices, programs, or activities; or (6) contracts out
17 or privatizes any functions, or activities presently per-
18 formed by Federal employees; unless the Appropriations
19 Committees of both Houses of Congress are notified fif-
20 teen days in advance of such reprogramming of funds.

21 (b) None of the funds provided under this Act, or
22 provided under previous appropriations Acts to the agen-
23 cies funded by this Act that remain available for obligation
24 or expenditure in fiscal year 1999, or provided from any
25 accounts in the Treasury of the United States derived by

1 the collection of fees available to the agencies funded by
2 this Act, shall be available for obligation or expenditure
3 for activities, programs, or projects through a reprogram-
4 ming of funds in excess of \$1,000,000 or 20 percent,
5 whichever is more, that: (1) augments existing programs,
6 projects, or activities; (2) reduces by 20 percent funding
7 for any existing program, project, or activity, or numbers
8 of personnel by 20 percent as approved by Congress; or
9 (3) results from any general savings from a reduction in
10 personnel which would result in a change in existing pro-
11 grams, activities, or projects as approved by Congress; un-
12 less the Appropriations Committees of both Houses of
13 Congress are notified fifteen days in advance of such re-
14 programming of funds.

15 SEC. 606. None of the funds made available in this
16 Act may be used for the construction, repair (other than
17 emergency repair), overhaul, conversion, or modernization
18 of vessels for the National Oceanic and Atmospheric Ad-
19 ministration in shipyards located outside of the United
20 States.

21 SEC. 607. (a) PURCHASE OF AMERICAN-MADE
22 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
23 gress that, to the greatest extent practicable, all equip-
24 ment and products purchased with funds made available
25 in this Act should be American-made.

1 (b) NOTICE REQUIREMENT.—In providing financial
2 assistance to, or entering into any contract with, any en-
3 tity using funds made available in this Act, the head of
4 each Federal agency, to the greatest extent practicable,
5 shall provide to such entity a notice describing the state-
6 ment made in subsection (a) by the Congress.

7 (c) PROHIBITION OF CONTRACTS WITH PERSONS
8 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
9 If it has been finally determined by a court or Federal
10 agency that any person intentionally affixed a label bear-
11 ing a “Made in America” inscription, or any inscription
12 with the same meaning, to any product sold in or shipped
13 to the United States that is not made in the United
14 States, the person shall be ineligible to receive any con-
15 tract or subcontract made with funds made available in
16 this Act, pursuant to the debarment, suspension, and ineli-
17 gibility procedures described in sections 9.400 through
18 9.409 of title 48, Code of Federal Regulations.

19 SEC. 608. None of the funds made available in this
20 Act may be used to implement, administer, or enforce any
21 guidelines of the Equal Employment Opportunity Com-
22 mission covering harassment based on religion, when it is
23 made known to the Federal entity or official to which such
24 funds are made available that such guidelines do not differ
25 in any respect from the proposed guidelines published by

1 the Commission on October 1, 1993 (58 Fed. Reg.
2 51266).

3 SEC. 609. None of the funds made available in this
4 Act shall be used to provide the following amenities or per-
5 sonal comforts in the Federal prison system—

6 (1) in-cell television viewing except for prisoners
7 who are segregated from the general prison popu-
8 lation for their own safety;

9 (2) the viewing of R, X, and NC-17 rated mov-
10 ies, through whatever medium presented;

11 (3) any instruction (live or through broadcasts)
12 or training equipment for boxing, wrestling, judo,
13 karate, or other martial art, or any bodybuilding or
14 weightlifting equipment of any sort;

15 (4) possession of in-cell coffee pots, hot plates
16 or heating elements; or

17 (5) the use or possession of any electric or elec-
18 tronic musical instrument.

19 SEC. 610. Any costs incurred by a Department or
20 agency funded under this Act resulting from personnel ac-
21 tions taken in response to funding reductions included in
22 this Act shall be absorbed within the total budgetary re-
23 sources available to such Department or agency: *Provided*,
24 That the authority to transfer funds between appropria-
25 tions accounts as may be necessary to carry out this sec-

tion is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 611. None of the funds made available in this Act to the Federal Bureau of Prisons may be used to distribute or make available any commercially published information or material to a prisoner when it is made known to the Federal official having authority to obligate or expend such funds that such information or material is sexually explicit or features nudity.

SEC. 612. Of the funds appropriated in this Act under the heading “OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE”, not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered

1 as the direct and proximate result of a personal injury
2 sustained in the line of duty while responding to an emer-
3 gency situation or a hot pursuit (as such terms are defined
4 by State law) with the same or better level of health insur-
5 ance benefits at the time of retirement or separation as
6 they received while on duty.

7 SEC. 613. (a) None of the funds appropriated or oth-
8 erwise made available in this Act shall be used to issue
9 visas to any person who—

10 (1) has been credibly alleged to have ordered,
11 carried out, or materially assisted in the
12 extrajudicial and political killings of Antoine Izmary,
13 Guy Malary, Father Jean-Marie Vincent, Pastor
14 Antoine Leroy, Jacques Fleurival, Mireille Durocher
15 Bertin, Eugene Baillergeau, Michelange Hermann,
16 Max Mayard, Romulus Dumarsais, Claude Yves
17 Marie, Mario Beaubrun, Leslie Grimar, Joseph
18 Chilove, Michel Gonzalez, and Jean-Hubert Feuille;

19 (2) has been included in the list presented to
20 former President Jean-Bertrand Aristide by former
21 National Security Council Advisor Anthony Lake in
22 December 1995, and acted upon by President Rene
23 Preval;

24 (3) was sought for an interview by the Federal
25 Bureau of Investigation as part of its inquiry into

1 the March 28, 1995, murder of Mireille Durocher
2 Bertin and Eugene Baillergeau, Jr., and was
3 credibly alleged to have ordered, carried out, or ma-
4 terially assisted in those murders, per a June 28,
5 1995, letter to the then Minister of Justice of the
6 Government of Haiti, Jean-Joseph Exume;

7 (4) was a member of the Haitian High Com-
8 mand during the period 1991 through 1994, and has
9 been credibly alleged to have planned, ordered, or
10 participated with members of the Haitian Armed
11 Forces in—

12 (A) the September 1991 coup against any
13 person who was a duly elected government offi-
14 cial of Haiti (or a member of the family of such
15 official), or

16 (B) the murders of thousands of Haitians
17 during the period 1991 through 1994; or

18 (5) has been credibly alleged to have been a
19 member of the paramilitary organization known as
20 FRAPH who planned, ordered, or participated in
21 acts of violence against the Haitian people.

22 (b) EXEMPTION.—Subsection (a) shall not apply if
23 the Secretary of State finds, on a case-by-case basis, that
24 the entry into the United States of a person who would
25 otherwise be excluded under this section is necessary for

1 medical reasons or such person has cooperated fully with
2 the investigation of these political murders. If the Sec-
3 retary of State exempts any such person, the Secretary
4 shall notify the appropriate congressional committees in
5 writing.

6 (c) REPORTING REQUIREMENT.—(1) The United
7 States chief of mission in Haiti shall provide the Secretary
8 of State a list of those who have been credibly alleged to
9 have ordered or carried out the extrajudicial and political
10 killings mentioned in paragraph (1) of subsection (a).

11 (2) The Secretary of State shall submit the list pro-
12 vided under paragraph (1) to the appropriate congres-
13 sional committees not later than 3 months after the date
14 of enactment of this Act.

15 (3) The Secretary of State shall submit to the appro-
16 priate congressional committees a list of aliens denied
17 visas, and the Attorney General shall submit to the appro-
18 priate congressional committees a list of aliens refused
19 entry to the United States as a result of this provision.

20 (4) The Secretary of State shall submit a report
21 under this subsection not later than 6 months after the
22 date of enactment of this Act and not later than March
23 1 of each year thereafter as long as the Government of
24 Haiti has not completed the investigation of the
25 extrajudicial and political killings and has not prosecuted

1 those implicated for the killings specified in paragraph (1)
2 of subsection (a).

3 (d) DEFINITION.—In this section, the term “appro-
4 priate congressional committees” means the Committee on
5 International Relations and the Committee on Appropria-
6 tions of the House of Representatives and the Committee
7 on Foreign Relations and the Committee on Appropria-
8 tions of the Senate.

9 SEC. 614. (a)(1) None of the funds made available
10 in this Act or any other Act hereafter enacted may be used
11 to issue or renew a fishing permit or authorization for any
12 fishing vessel of the United States greater than 165 feet
13 in registered length, of more than 750 gross registered
14 tons, or that has an engine or engines capable of produc-
15 ing more than 3,000 shaft horsepower that would allow
16 such vessel to engage in fishing in any fishery within the
17 exclusive economic zone of the United States (except terri-
18 tories), unless a certificate of documentation had been
19 issued for the vessel, endorsed with a fishery endorsement
20 that was effective on September 25, 1997, and endorsed
21 with a fishery endorsement at all times thereafter, or un-
22 less the appropriate regional fishery management council
23 recommends after the date the enactment of this Act, and
24 the Secretary approves, a fishery management plan or

1 amendment that specifically allows such a vessel to engage
2 in such fishing.

3 (2) Any fishing permit or authorization issued or re-
4 newed prior to the date of the enactment of this Act for
5 a fishing vessel that exceeds the length, tonnage, or horse-
6 power thresholds in paragraph (1) that would allow such
7 vessel to engage in fishing for any Atlantic mackerel or
8 herring (or both) in the waters off the east coast of the
9 United States during fiscal year 1999 shall be null and
10 void unless the appropriate regional fishery management
11 council has recommended and the Secretary has approved
12 a fishery management plan or plan amendment that spe-
13 cifically allows such vessel to engage in such fishing.

14 (3) The prohibition in this subsection shall not apply
15 to fishing vessels in the menhaden fishery, which occurs
16 primarily outside the exclusive economic zone of the
17 United States.

18 (b) None of the funds made available in this Act or
19 in any other Act hereafter enacted may be used to issue
20 an individual fishing quota under a fishery management
21 plan or plan amendment approved by a regional fishery
22 management council after September 30, 2000 to an indi-
23 vidual who is not a citizen of the United States or (as
24 determined by the Maritime Administration) to a corpora-
25 tion, partnership, association, trust, joint venture, or other

1 entity in which less than 75 percent controlling interest
2 in such entity, in the aggregate, is owned by citizens of
3 the United States.

4 SEC. 615. None of the funds made available in this
5 Act may be used to pay the expenses of an election officer
6 appointed by a court to oversee an election of any officer
7 or trustee for the International Brotherhood of Teamsters.

8 SEC. 616. (a) IN GENERAL.—Section 1303 of the
9 International Security and Development Corporation Act
10 of 1985 (16 U.S.C. 469j) is amended—

11 (1) in subsection (d)(1)—

12 (A) by striking “21” and inserting “15”;

13 and

14 (B) by striking “7” each place it appears

15 and inserting “5”; and

16 (2) in subsection (e), by striking “three” and
17 inserting “six”.

18 (b) SAVINGS PROVISION.—The enactment of the
19 amendments made by paragraph (1) of subsection (a)
20 shall not require any person appointed as a member of
21 the Commission for the Preservation of America’s Herit-
22 age Abroad before the date of enactment of this Act to
23 terminate his or her service prior to the expiration of his
24 or her current term of service.

1 SEC. 617. JAPAN-UNITED STATES FRIENDSHIP
 2 COMMISSION. (a) RELIEF FROM RESTRICTION OF INTER-
 3 CHANGEABILITY OF FUNDS.—Section 6(4) of the Japan-
 4 United States Friendship Act (22 U.S.C. 2905(4)) is
 5 amended by striking “needed, except” and all that follows
 6 through “United States” and inserting “needed”.

7 (b) The second sentence of section 7(b) of the Japan-
 8 United States Friendship Act (22 U.S.C. 2906(b)) is
 9 amended to read as follows: “Such investment may be
 10 made in only interest-bearing obligations of the United
 11 States, in obligations guaranteed as to both principal and
 12 interest by the United States, in interest-bearing obliga-
 13 tions of Japan, or in obligations guaranteed as to both
 14 principal and interest by Japan.”.

15 SEC. 618. STUDY ON INTERNET ACCESS AND COM-
 16 MUNICATIONS AND THE TAXATION OF THE INTERNET. (a)
 17 DEFINITIONS.—In this section:

18 (1) INTERNET.—The term “Internet” has the
 19 meaning provided that term in section 230(e)(1) of
 20 the Communications Act of 1934 (47 U.S.C.
 21 230(e)(1)).

22 (2) SECRETARY.—The term “Secretary” means
 23 the Secretary of Commerce.

24 (b) STUDY AND REPORT.—

1 (1) IN GENERAL.—Not later than March 1,
2 1999, the Secretary, in consultation with the Sec-
3 retary of State and the Secretary of the Treasury,
4 shall conduct a study under this section and submit
5 to the Committee on Appropriations a report on the
6 results of the study.

7 (2) CONTENTS OF STUDY.—The study con-
8 ducted by the Secretary under this section shall ex-
9 amine—

10 (A) the taxation of the Internet by States
11 and political subdivisions thereof;

12 (B) access to the Internet; and

13 (C) communications and transactions con-
14 ducted through the Internet.

15 (3) EFFECTS OF TAXATION.—With respect to
16 the taxation of the Internet, the study conducted by
17 the Secretary under this section shall examine the
18 extent to which—

19 (A) that taxation may impede the progress
20 and development of the Internet; and

21 (B) the effect that taxation may have with
22 respect to the efforts of the President to keep
23 the Internet free of discriminatory taxes on an
24 international level.

1 SEC. 619. (a) PURPOSE.—The purpose of this section
2 is to allow for the investment of joint Federal and State
3 funds from the civil settlement of damages from the Exxon
4 Valdez oil spill.

5 (b) INVESTMENT OF JOINT TRUST FUNDS.—Not-
6 withstanding any other provision of law, upon the joint
7 motion of the United States and the State of Alaska and
8 the issuance of an appropriate order by the United States
9 District Court for the District of Alaska, the joint trust
10 funds or any portion thereof, including any interest ac-
11 crued thereon, previously received or to be received by the
12 United States and the State of Alaska pursuant to the
13 Agreement and Consent Decree issued in United States
14 v. Exxon Corporation, et al. (No. A91–082 CIV) and State
15 of Alaska v. Exxon Corporation, et al. (No. A91–083 CIV)
16 (hereafter referred to as the “Consent Decree”), may be
17 deposited in appropriate accounts outside the Court Reg-
18 istry, including the Natural Resource Damage Assessment
19 and Restoration Fund (hereafter referred to as the
20 “Fund”) established in title I of the Department of the
21 Interior and Related Agencies Appropriations Act, 1992
22 (Public Law 102–154, 43 U.S.C. 1474b) and such ac-
23 counts outside the United States Treasury consisting of
24 income-producing obligations and other instruments or se-
25 curities of a type or class that have been determined

1 unanimously by the Federal and State natural resource
2 trustees for the Exxon Valdez oil spill to have a high de-
3 gree of reliability and security: *Provided*, That any joint
4 trust funds in the Fund and any such outside accounts
5 that have been approved unanimously by the trustees for
6 expenditure by or through a State or Federal agency shall
7 be transferred promptly from the Fund and such outside
8 accounts to the State or United States upon the joint re-
9 quest of the governments: *Provided further*, That the
10 transfer of joint trust funds outside the Court Registry
11 shall not affect the supervisory jurisdiction of such Dis-
12 trict Court under the Consent Decree or the Memorandum
13 of Agreement and Consent Decree in United States v.
14 State of Alaska (No. A91-081-CIV) over all expenditures
15 of the joint trust funds: *Provided further*, That nothing
16 herein shall affect the requirement of section 207 of the
17 Dire Emergency Supplemental Appropriations and Trans-
18 fers for Relief From the Effects of Natural Disasters, for
19 Other Urgent Needs, and for the Incremental Cost of
20 “Operation Desert Shield/Desert Storm” Act of 1992
21 (Public Law 102-229, 42 U.S.C. 1474b note) that
22 amounts received by the United States and designated by
23 the trustees for the expenditure by or through a Federal
24 agency must be deposited into the Fund: *Provided further*,
25 That any interest accrued under the authority in this sec-

tion may be used only for grants for marine research and monitoring (including applied fisheries research) and for community and economic restoration projects (including projects proposed by the fishing industry and facilities): *Provided further*, That the Federal trustees are hereby authorized to administer such grants: *Provided further*, That the authority provided in this section shall expire on September 30, 2002, unless by September 30, 2001 the trustees have submitted to the Congress legislation to establish a board to administer funds invested, interest received, and grants awarded from such interest.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading on September 30, 1997, \$45,326,000 are rescinded.

FEDERAL BUREAU OF INVESTIGATION

(RESCISSIONS)

Of the funds provided in previous Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

“Construction, 1996”, \$6,000,000.

“Construction, 1998”, \$4,000,000.

1 “Salaries and Expenses-Legal Attaché, 1998”,
2 \$4,178,000.

3 “Salaries and Expenses, no year”, \$6,400,000.

4 “Violent Crime Reduction Program, 1996”,
5 \$2,000,000.

6 “Violent Crime Reduction Program, 1997”,
7 \$300,000.

8 DEPARTMENT OF COMMERCE

9 (RESCISSIONS)

10 Of the funds provided in previous Acts, the following
11 funds are hereby rescinded from the following accounts in
12 the specified amounts:

13 “United States Travel and Tourism Adminis-
14 tration, no year”, \$915,000.

15 “Endowment for Children’s Educational TV, no
16 year”, \$1,175,000.

17 This Act may be cited as the “Departments of Com-
18 merce, Justice, and State, the Judiciary, and Related
19 Agencies Appropriations Act, 1999”.

Calendar No. 449

105TH CONGRESS
2D Session

S. 2260

[Report No. 105-235]

A BILL

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

JULY 2, 1998

Read twice and placed on the calendar